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# SUSTAINABLE DEVELOPMENT OF TRUST AND POLICE PRESENCE IN SCHOOLS: IMPLICATIONS FOR SCHOOL SAFETY POLICY


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**Abstract:** *The study aims to determine the trust and presence of police officers in schools in Serbia, as well as the perception of the principals and secretaries, teachers and staff, parents, and students on how successful the specific police units dedicated to schools were in fulfilling their tasks. The ex-post analysis was conducted through PEST/SWAT analysis, mapping the key actors and using batteries of online questionnaires, besides interviews with the MOI representatives, surveyed with personal interviewing, computer-aided surveying, desk analysis, and content analysis. The survey was conducted from September 2021 to June 2022. The research methods were implemented in 1140 schools in Serbia, and 8,617 people were included in surveys: police officers (308); principals and secretaries (1085); the team for protection against discrimination (982); teachers and staff (2988); parents (938) and students (2316). The relationships between the covariates and perception were investigated using the t-test, one-way ANOVA, multivariate linear regression, and binary regression. The results showed that a project of school police officers was not fully recognized as one of the strategically essential instruments for safe schools; trust is low, but presence is high. Besides that, the results suggest that the entire public believes that police are needed in schools and that it positively affects school safety. Regarding school safety policy, it is necessary to undertake three measures for the sustainable development of trust and the presence of police in school: regulatory, informative-educational, and institutional-organizational.*

**Keywords:** School; Security; Police Officer; Trust; Perception; Sustainable Development; Serbia

## INTRODUCTION

In public, both lay, professional, and scientific, there is a widespread belief about the constant increase in occurrence and increasingly severe consequences of student delinquency. This belief was created mainly under the influence of the media (Mano et al. 2019), which often present data that are not based on evidence (Stevanović and Zečević 2020) or enormous media reporting (Brown 2006), which contributes to the creation of the public belief that violence in schools happens every day. As a result, social efforts to improve safety in schools have intensified (Cruz and Ormilla 2022; Rico 2019) by creating various "zero tolerance" safety policies that require suspension of students or their expulsion from school for committed offenses (Brown 2006), implementation of preventive programs, covering the school premises with security cameras (Gonzalez et al. 2016; Kekić and Spasić 2018). Also, previous experiences have shown that the police are insufficiently prepared for



the challenges associated with large-scale disasters (Al-ramlawi et al. 2020; Aleksandrina et al. 2019; El-Mougher and Mahfuth 2021; Hossain et al.; Janković 2021b; Janković et al. 2023; Vibhas et al. 2019; Xuesong and Kapucu 2019).

One of the most extensive measures is the increasing police presence in schools (Fisher et al. 2022; Montes et al. 2021). It is estimated that by 2018, 61% of public schools in the USA (including 84% of public high schools) employed at least one security guard, most commonly School Resource Officers (SROs) or another law enforcement officer (Fisher et al. 2022). From 1996 to 2016, the US Office of Community-Oriented Policing allocated funds for about 7,000 SROs, not including other police officers working in schools without being classified as SROs (Montes et al. 2021). The presence of police officers in schools has been increasing ever since, despite a growing body of research evidence that questions their effectiveness, i.e., their effectiveness has not been scientifically supported (Fisher et al. 2022; Milojević et al. 2017).

The mass shooting that took place on 05.03.2023 in the elementary school “Vladislav Ribnikar” in Belgrade, in which eight children and a security guard were killed, while six children and one schoolteacher were wounded, shocked the public of Serbia (MUP 2023). The shock was caused by the fact that this was the first mass murder in Serbian schools, and an even greater shock was caused by the information that the perpetrator of this massacre was a thirteen-year-old student of the said school.

More significant police presence in schools can be ensured by occasional or permanent police presence through various police programs. Special police officers who participate in these programs have different titles and perform different security tasks to some extent. However, they are primarily responsible for the safety of children in schools. The most famous and most extensive such program in the world is School Resource Officers (SRO) - USA (Scheuermann et al. 2021), and the program with the same name is widespread in Canada (Broll and Howells 2021) as well. There are similar programs in Great Britain called Safer School Partnerships (SSP) (Henshall 2017), in Turkey - School police project (Öğülmüş et al. 2011), in South Korea - Korean School Police Officers (KSPOs) (Han and Connell 2021). In Croatia, the permanent presence of the police is ensured by the position of a contact police officer (Valenta et al. 2019), while in Serbia, the permanent presence of the police in schools has been ensured since 2002 through the “School Police Officer” program (Milojević et al. 2017).

## LITERATURE REVIEW

All research on police presence in schools could be systematized into three most prominent categories. The first and most numerous category of research pertains to those that consider the role of the police in schools, i.e., the tasks they perform. In the US, school police officers (or school resource officers - SROs) are typically engaged in law enforcement, education, and mentoring (the triad model), with law enforcement being a major aspect of their role (Brown 2006; Gill et al. 2016; Ryan et al. 2017), while education being the least important (Ivey 2012). Brown (2006) noted that many roles and tasks are imposed on SROs, and they are different depending on the state, police organization, funding entity, etc. Therefore, it is necessary to create a consensus of the entire community on defining the precise role and tasks of police officers in schools while respecting certain

specificities of individual environments (Montes et al. 2021), such as the racial composition and grade level attending a certain school (Crawford and Burns 2016).

In Canada (Ontario), researchers Broll and Howells (2021) examined the views of school principals on the role of SROs. They found that three crucial functions depend on the type of school, with SROs prioritizing teaching in elementary schools and law enforcement in high schools. Research from America also indicates that the way police officers are engaged in schools depends on the type of school (Lynch et al. 2016). The principals expressed their views that police officers in schools with more significant socio-educational challenges perform more of a law enforcement role. In contrast, in schools with less socio-educational deficiencies, they perform more of an education-related role. In a study conducted in London high schools (Henshall 2017), it was observed that police officers are positioned in schools with a high degree of student vulnerability. That is, they are deployed, similar to American schools, in parts of the city with the vulnerable population. The authors ask whether police officers in English schools protect students and prevent crime or if they are part of state surveillance that “socially sorts” individuals who are “at risk” and unlikely to become productive citizens. In a study conducted in the USA (Fisher et al. 2022), 119 SROs were interviewed, and they declared that their roles are much broader than the classic triad model, i.e., they are closer to the three dimensions of community policing (community partnership, problem-solving, organizational adaptation). In this respect, we should consider harmonizing the roles of school police officers in line with community policing. In a survey conducted in America (Rhodes 2019), SROs reported that in urban high schools, they perform more conventional police roles (law enforcement), while SROs who supported community policing were more engaged in non-conventional roles, mentoring and education.

The second group of research related to one of the observed problems, which is the absence of specialized training for the actions of police officers in schools or that the training is insufficient or inadequate (Bolger et al. 2019; Counts et al. 2018; Martinez-Prather et al. 2016; Milojević et al. 2017; Trotman and Thomas 2016). Martinez et al. (2016) found in their research that about 40% of SROs in Texas did not receive any specialized training for work in schools. Milojević et al. (2017) noted in their research that there is no specialized training for school police officers in Serbia. When it comes to police officers trained to work in schools, Bolger et al. (2019) indicated that officers who received formal SRO training preferred formal incident resolution, while more educated officers were more inclined to less punitive and informal responses to incidents. One of the perceived training gaps is that police officers receive minimal training on how to understand and interact with adolescents (Fix et al. 2021). Training for school police officers should also include topics such as behavior management, child development, communication techniques, and disability awareness (Counts et al. 2018). Training that focuses on providing police officers with a better understanding of the developmental characteristics of children and youth can reduce instances where they overuse intense or harsh responses to the typical behavior of children and youth, especially those with developmental disabilities (Scheuermann et al. 2021).

In accordance with the above, Trotman and Thomas (2016) noted that the role of the police in schools is changing. Therefore, the education and training of police officers should be adapted in order to improve the set of different skills, which are not only required for law enforcement but also for new roles of police officers. More attention should be paid to training in proactive techniques that can prevent certain provocative behaviors from turning into more serious offenses or even criminal acts by using formal police procedures (Scheuermann et al. 2021).

The most significant number of ambiguities remained with the third group of research that studied the presence of the police in schools and their effectiveness. A smaller number of studies have established the positive effects of the presence of the police in schools, i.e., that their presence reduces the fear of crime and increases the feeling of safety among students while they are at school (Chrusciel et al. 2015; Milojević et al. 2017; Spasić and Kekić 2012). Theriot (2016) indicated that students who had a more significant number of interactions (five or more) with SROs had more positive attitudes about SROs than those with fewer interactions. A number of studies have indicated that school employees, principals, and teachers have a positive opinion of the presence of SROs, believing that their presence deters students from misbehaving and contributes to reducing crime (Chrusciel et al. 2015; Kekić and Spasić 2018; Öğülmüş et al. 2011; Spasić and Kekić 2012; Wolfe et al. 2017). Contrary to them, a number of studies indicate that the presence of police officers has no effect on safety in schools and that they even have a negative effect on safety. Thus, research in Serbia (Milojević et al. 2017) indicates that since the introduction of the school police officer, the number of criminal acts and misdemeanors in schools has increased, which was also indicated in some research in the USA (Gottfredson et al. 2020; Jennings et al. 2011; Na and Gottfredson 2013; Stevenson 2011). In a study in South Korea, researchers hypothesized that the presence of Korean School Police Officers (KSPO) might be associated with lower levels of delinquency in schools, but they found only limited evidence to support these assumptions (Han and Connell 2021). The researchers are of the opinion that the program can be considered partially effective. It will remain such until school police officers become a part of the school community for a more extended period. Research in the USA (Crawford and Burns 2015) indicated that the effect of police presence in schools depends on the grade level and the type of crime or violence that the school encounters. For example, the police presence was negatively and significantly associated with fewer armed attacks in other grades but not in high schools. At the same time, the frequency of possession of weapons was lower in other schools but significantly higher in high schools. In addition, schools with predominantly minority populations often face higher levels of reported violence and have a stronger police presence (Crawford and Burns 2016). All this may indicate that the presence of the police is counterproductive, but it may also be a reflection of the police work while trying to solve the already existing problem of crime in schools.

There is a small number of studies in Serbia with the work of a school police officer as the subject of research. The initial research on this topic was conducted by Bošković and Simić (2004), covering the initial steps of the implementation of the School Police Officer program without delving into a deeper consideration of the program's effectiveness. The research of Milojević et al. (2017) has already been mentioned, which indicated that since the introduction of the school police officer, there has been a significant increase in the number of criminal acts in Serbian schools. In the research conducted by Spasić and Kekić (2012), in which the attitudes of students and employees about school police officers were examined, the respondents indicated that in all schools where school police officers are not represented, their engagement is necessary, that is, measures and activities are recommended on improving their engagement in those schools where they have already been assigned. Other papers mention the school police officer as one of the programs implemented to increase the safety of students in schools (Kekić and Spasić 2018; Ninčić 2022; Ristović 2021; Stevanović and Zečević 2020).

## MATERIALS AND METHODS

The ex-post analysis was conducted through PEST/SWAT analysis, mapping of the key actors, and using batteries of online questionnaires. There were seven questionnaires: a questionnaire for elementary and high school students, a questionnaire for parents, a questionnaire for teaching staff, a questionnaire for principals and secretaries, a questionnaire for professional associates, a questionnaire for the team for protection against discrimination, violence, abuse, and neglect, and a questionnaire for police officers. In addition to interviews with MOI representatives, the following activities were conducted: a survey involving personal interviews, computer-aided surveying, as well as desk analysis, and content analysis. The research was conducted from September 2021 to June 2022. The research methods were implemented in 1140 schools in Serbia. 8,617 people were included in all of them. The questionnaire for police officers included 308 police officers, the questionnaire for principals and secretaries included 1085 participants, the team for the protection of discrimination questionnaire included 982 participants, the teachers and staff questionnaire included 2988 participants, the parents' questionnaire had 938 participants and student's questionnaire included 2316 participants. The goal of the research and ex-post analysis was to compare activities and results of implementing powers of police officers in schools with results in the field. It was to be done by comparing the focused groups' responses and the results of the implementation.

### Study Area

In 2002, fundamental reforms of the police began in Serbia, which, among other things, related to the reaffirmation of police officers, sectoral work, and the introduction of school police officers (Ristović 2021). The "School Police officer" project began in 2002. It was initiated by a joint assessment by the Ministry of Education and Sports and the Ministry of Interior that the security situation in a number of schools in urban areas of Serbia is significantly threatened (Spasić and Kekić 2012).

Unlike SROs in the USA, which have a triple role determined through the "triad model", the role of the school police officer in Serbia is law enforcement exclusively (Milojević et al. 2017). The tasks of the school police officer are defined in such a way that they emphasize the preventive role of members of the police who perform the duties of the school police officer (Bošković and Simić 2004). The school police officer intervenes only when it is necessary and in order to protect students and the school property. One of the reasons is that the crime rate in schools is not high, and the forms of criminal acts are not as extreme as in other countries (Stevanović and Zečević 2020); so, for example, in Serbia, there had not been a problem of mass school shootings, such in the USA (Crawford and Burns 2016; Katsiyannis et al. 2018).

When the "School Police Officer" project was launched, 185 police officers were engaged in it (Bošković and Simić 2004). Since the beginning of the implementation of the project, the number of school police officers has been increasing so that until the mass shooting at the school in Belgrade, 381 school police officers were employed in 664 schools (348 elementary and 327 high schools) in Serbia (Kekić and Spasić 2018). School police officers were not deployed in all schools; some of them covered several schools, and in some cases, they only occasionally visited schools (Milojević and Janković 2022), which was also the case with the school in Belgrade, where a mass shooting took

place. Just a few days after the shooting in the elementary school in Belgrade, the Ministry of Interior of Serbia, as one of the measures to increase security in schools, ensured the constant presence of a school police officer in all secondary and elementary schools in Serbia. Currently, 3,448 police officers are deployed in 1844 schools to ensure their security, while 1,200 new police officers are expected to be recruited for these jobs (RTS 2023).

The criteria for a school police officer exist but without a clear definition. They are of a general type: the ability to work effectively with students, with parents, and with principals, knowledge of legal issues related to the functioning of schools, knowledge of existing school resources, knowledge of social service resources, understanding of developmental child psychology, knowledge of crime prevention, public speaking skills, knowledge of school security technology, etc. (Spasić and Kekić 2012). There are no tests to determine whether someone has specific knowledge and skills. However, everything is based on the free assessment of the senior police officers, who evaluate whether the police officers possess them or not. Another problem is that after the selection, no implementation of further specific training is envisaged (Milojević et al. 2017; Spasić and Kekić 2012).

### Socio-Economic and Demographic Characteristics

Out of the total number of school police officers, 70.6% of respondents are male, and 29.1% of respondents are female. The majority of respondents (35.3%) are between 46 and 55 years of age, while the fewest number of respondents are under 25 (7.1%). Observed about education, the majority of respondents have completed high school (80.6%). According to years of work experience in the service, the largest number of respondents (30.4%) has up to 20 years of work experience, while the smallest number of respondents (3.9%) has up to 2 years of work experience. Regarding years of work as a school police officer, the largest number of respondents (21%) have up to 20 years of work experience, while the smallest number of respondents (4.5%) have up to 10 years of work experience. In the largest number of schools (39.5%), there have been school police officers for over 16 years, while in the smallest number of schools (7.52%), there have been school police officers for only five years.

About students who participated in the research, most of the respondents (96%) have completed elementary school, while the fewest number (3.9%) have completed high school. When it comes to the perception of feeling safe at school, the largest number of respondents (75.6%) point out that they feel safe, while the smallest number of respondents (0.4%) point out that they feel unsafe to some extent. In relation to the number of students in a school, there are from 200 to 500 students in the largest number of schools (30.5%), while there are over 1000 students in the smallest number of schools (7.9%). In the largest number of schools (38.7%), there are school police officers, while in 38.7%, they have not been deployed (Table 1).

**Table 1: Basic Socio-Economic and Demographic Information about Police Officers (Source: Authors' research)**

Variable	Category	Frequency (%)
Gender	Male	218 (70.6)
	Female	90 (29.1)
Age	≥25	22 (7.1)
	26-35	78 (25.2)
	36-45	99 (32)
	46-55	109 (35.3)

Education	High school	249 (80.6)
	College	27 (8.7)
	University	32 (10.4)
Years of work experience	Up to 2 years	13 (4.2)
	Up to 10 years	12 (3.9)
	Up to 20 years	94 (30.4)
	Up to 30 years	83 (26.9)
	Up to 40 years	12 (3.9)
Years of work experience as a school police officer	Up to 1 year	25 (8.1)
	Up to 2 years	37 (12)
	Up to 10 years	14 (4.5)
	Up to 20 years	65 (21)
Type of school	Elementary	2225 (96)
	High	91 (3.9)
The length of presence of the school police officer in your school	Up to 5 years	62 (7.52)
	6-10 years	212 (25.7)
	11-15	228 (27.6)
	Over 16 years	323 (39.15)
Perception of how they feel in school	1	18 (0.8)
	2	10 (0.4)
	3	468 (20.2)
	4	40 (1.7)
	5	1752 (75.6)
Number of students in school	Up to 50	144 (6.2)
	51-200	549 (23.7)
	201-500	706 (30.5)
	501-1000	735 (31.7)
	Over 1000	182 (7.9)
The presence of the school police officer in the school	Yes	849 (38.7)
	No	1299 (59.2)

## Questionnaire Design

In preparing the questionnaire for this study, several approaches were considered (Chrusciel et al. 2015; May et al. 2012; Milojević et al. 2017; Rhodes 2019; Theriot 2016; Wolfe et al. 2017), and seven questionnaires were carefully prepared for online usage and controlling the participation of focused groups of participants. The research was conducted as non-experimental, explorative, and descriptive research, with a general research goal set in the previous explanation. Research activities that were conducted included the following: survey with personal interviewing, computer-aided surveying, desk analysis, and content analysis. Survey research was developed and conducted through structured surveys and interviews by specially trained persons.

After conducting an online survey using the Survey Monkey software solution, the data obtained using measuring instruments were processed using statistical methods. Hired consultants carried out the primary processing of the completed questionnaires, and the results are presented in this document. The analysis of the content and results of the cross-examination was carried out with consideration of all the proposed directions of analysis. During the preparation of the research, data sources and deadlines for the realization of the research were defined, as well as the procedure for processing the data and unifying the results. Although several focus groups were planned to deepen the research results, due to the restrictions caused by the Covid-19 pandemic (Janković 2021a), the focus groups were not held. The Helsinki Declaration (Tyebkhan 2003), which set standards for socio-medical research involving human participants, was in accordance with our quantitative analyses. An initial invitation to participate in an online survey was made on social media, and the participants were selected using a convenience sample strategy. Serbia was included in the research.



## Analysis

Descriptive data were acquired for the socioeconomic and demographic characteristics of the participants in this study. The relationships between the covariates and the perception of the school police officer were investigated using the t-test, one-way ANOVA, multivariate linear regression, and binary regression. The findings of two tests resistant to the violation of the assumption, Welch's t-test and the Brown-Forsythe test, were utilized since the preliminary examination of the homogeneity of variance (test of homogeneity of variances) revealed a violation of the assumption of homogeneous variance. All tests had a significance threshold of  $p < 0.05$  and were two-tailed. SPSS Statistics was used to conduct the statistical analysis (IBM SPSS Statistics, Version 26, New York, USA). With a Cronbach's alpha of 0.84, the Likert scale's internal consistency was good.

Regression analyses were performed with the five independent variables (gender, age, education, previous experience, and additional education) to examine the factors associated with the overall scale (Table 2).

Four dependent variables (security procedures, time of realization, improvement of cooperation, and safety improvement) were included in the multivariate logistic regression model (Table 3).

A multivariate regression analysis was used, identifying the extent to which total scores of the primary dependent variables (e.g., assessment of relationship with parents, assessment of employee relations, assessment of relations with senior police officers, assessment of relations with police officer's subscale) were associated with five demographic and socioeconomic variables: gender, age, education, previous experience, and additional education.

Previous analyses reviewing the residual scattering diagram showed that the assumptions of normality (normal probability plot P-P and scatterplot), linearity, multicollinearity ( $r = 0.9$ ), and homogeneity of variance had not been violated.

## RESULTS

Based on the methodological framework and study design above, the results were divided into three groups:

1. Predictors of the attitudes of school police officers;
2. Results of descriptive statistics regarding attitudes of school police officers (perception of school police officers, teachers' perception of school police officers, student's perception of school police officers);
3. Correlations between the variables and the attitudes of school police officers.

### Predictors of the School Attitudes of School Police Officers

The multivariate regression analyses showed that gender, education, previous experience, and additional education did not significantly affect the assessment of the relationship with parents. On the other hand, the major predictor of the assessment of the relationship with parents is age ( $\beta = -0.134$ ), explaining a 12.9% variance in the score. The assessment of the relationship with parents'

model ( $R^2 = 0.35$ , Adj.  $R^2 = 0.18$ ,  $F = 2.11$ ,  $t = 37.3$ ,  $p = 0.05$ ) with all the mentioned independent variables explains the 18% variance of the relationship with parents (Table 2 and Figure 1).

The assessment of the relationship with the employees' model ( $R^2 = 0.18$ , Adj.  $R^2 = 0.02$ ,  $F = 1.10$ ,  $t = 44.4$ ,  $p = 0.36$ ) with all the mentioned independent variables did not show a statistically significant value.

The assessment of relationship with supervisor model ( $R^2 = 0.86$ , Adj.  $R^2 = 0.70$ ,  $F = 5.50$ ,  $t = 39.8$ ,  $p = 0.00$ ) with all the mentioned independent variables explains the 7% variance of assessment of relationship with supervisor. The most important predictor of the assessment of the relationship with the supervisor model is gender ( $\beta = 0.196$ ), which explains the 1.88% variance in the score, followed by age ( $\beta = -0.168$ , 1.62%), and additional education ( $\beta = -0.139$ , 1.34%). The remaining variables did not have significant effects on the assessment of the relationship with the supervisor. On the other side, the assessment of the relationship with police officers ( $R^2 = 0.03$ , Adj.  $R^2 = 0.01$ ,  $F = 1.76$ ,  $t = 41$ ,  $p = 0.12$ ) with all the mentioned independent variables did not show a statistically significant value (Table 2 and Figure 1).

**Table 2: Results of a Multivariate Regression Analysis concerning ( $n = 308$ ) (Source: Authors' research)**

Predictor Variable	Assessment of Relationship with Parents			Assessment of Employee Relations			Assessment of Relations with Senior Police Officers			Assessment of Relations with Police Officers		
	B	SE	$\beta$	B	SE	$\beta$	B	SE	$\beta$	B	SE	$\beta$
Gender	-0.069	0.099	-0.042	0.024	0.086	0.016	0.307	0.091	0.196*	0.087	0.089	0.059
Age	-0.395	0.175	-0.134*	-0.184	0.151	-0.073	-0.466	0.160	-0.168*	-0.143	0.156	-0.055
Education	-0.033	0.113	-0.017	-0.027	0.098	-0.016	0.130	0.104	0.072	0.198	0.101	0.117
Previous Experience	-0.174	0.160	-0.063	-0.156	0.139	-0.066	-0.041	0.147	-0.016	-0.141	0.143	-0.058
Additional Education	0.117	0.090	0.077	0.084	0.078	0.064	-0.198	0.083	-0.139*	-0.013	0.081	-0.010
Adjusted $R^2$	0.018			0.002			0.07			0.013		

\*  $p \leq 0.05$ ; \*\*  $p \leq 0.01$ ; B: unstandardized (B) coefficients; SE: std. error;  $\beta$ : standardized ( $\beta$ ) coefficients. Note: males, young (< 30), high school, and with additional education have been coded as 1; 0 has been assigned otherwise (females, middle-aged and old, faculty and college, without additional education).

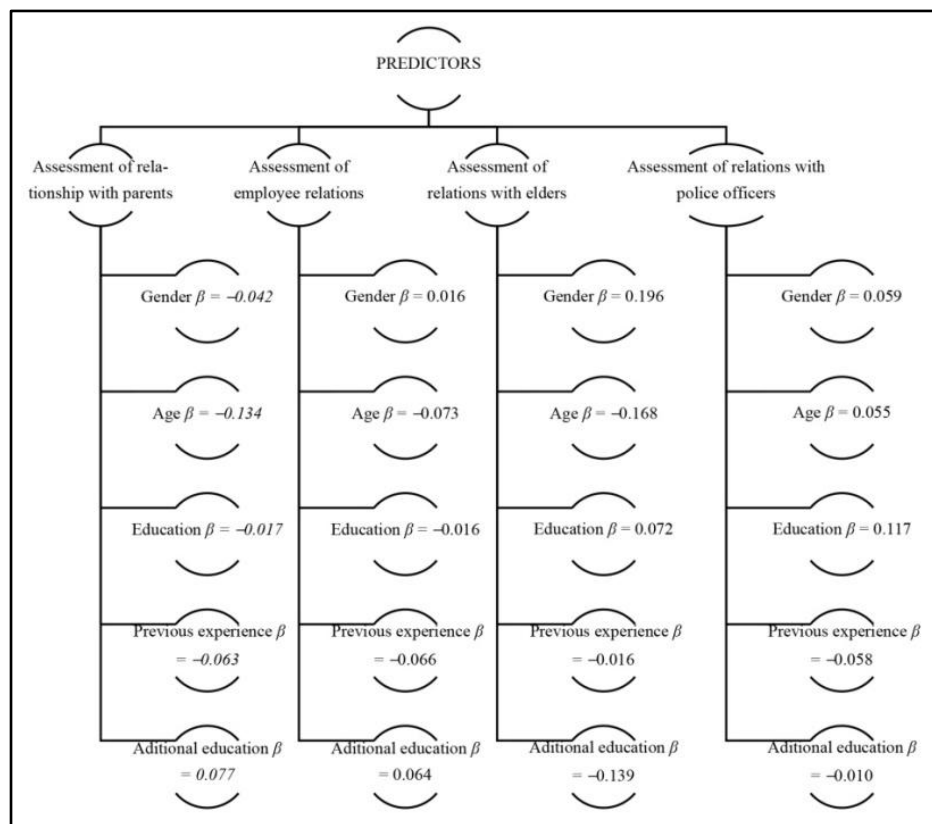


Figure 1: The Predictors of the Assessment of Relationships (Source: Authors' research)

In the first step, logistic regression was used to determine the combined effects of the various factors included in the proposed model (gender, age, education, additional education) (Table 3). The logistic regression model applied to the security procedures (with all predictors) was not statistically significant ( $\chi^2 = 8.66$ ; (5,  $N = 302$ )  $p \leq 0.07$ ).

The model, including the time of realization (with all predictors), was statistically significant ( $\chi^2 = 9.7$ ; (4,  $N = 260$ )  $p \leq 0.01$ ) and explains the variance between 3.1% (Cox and Snell) and 5.3% (Nagelkerke). Regression results indicated that the one predictor had a statistically significant contribution to the model (educational level;  $p \leq 0.01$ ). The educational level was found to be the strongest predictor of the time of realization, with a regression coefficient of 2.74. This indicates that twice as many more educated respondents assess that they have enough time for the realization of all activities compared to those who do not. The model, including the improvement of cooperation (with all predictors), was not statistically significant ( $\chi^2 = 7.14$ ; (4,  $N = 299$ )  $p = 0.12$ ). On the other hand, the model including safety improvement (with all predictors) was statistically significant ( $\chi^2 = 23.68$ ; (4,  $N = 309$ )  $p \leq 0.00$ ) and explains the variance between 7.4% (Cox and Snell) and 12.4% (Nagelkerke). Regression results indicated that the three predictors had a statistically significant contribution to the model (age -  $p = 0.002$ ; educational level -  $p = 0.003$ ; and additional education -  $p = 0.002$ ).

The educational level was found to be the strongest predictor of safety improvement, with a regression coefficient of 2.15. This indicates that more educated respondents assess that they will contribute to safety improvements more than those who do not (Table 3).

**Table 3: Multivariate Binary Logistic Regression Analyses Relevant to the Security Procedures, Time of Realization, Improvement of Cooperation, and Safety Improvement (Source: Authors' research)**

Predictor Variable	Security procedures			Time of realization			Improvement of cooperation			Safety improvement		
	$\beta$	SE	Exp(B)	$\beta$	SE	Exp(B)	$\beta$	SE	Exp(B)	$\beta$	SE	Exp(B)
Gender	1.54	1.13	4.66	-0.091	0.358	0.913	-1.598	0.693	-1.598	-0.097	0.354	0.908
Age	-17.43	782	0.000	-0.784	0.543	0.457	-17.878	8221.52	-17.878	-1.504	0.485	0.222
Education	-2.16	0.80	0.11	1.008	0.358	2.740	0.432	0.838	0.432	0.790	0.371	2.204
Additional education	0.10	0.79	1.10	-0.064	0.336	0.938	0.607	0.675	0.607	0.768	0.351	2.156

\*  $p \leq 0.05$ ; \*\*  $p \leq 0.01$ .

## The Results of Descriptive Statistics Regarding Attitudes, Trust, and Presence of School Police Officers

Out of the total number of police officers performing the duties of a school police officer, 47.2% have completed specialized training for performing the duties of a school police officer. The largest number of respondents (42.7%) have completed a seminar for a school police officer. The jobs of the school police officer are performed in the largest number of cases (44.7%) in mixed schools, followed by one elementary school (23%), and the least in one high school (9.4%). Schools informed 89.6% of police officers about their procedures and ways of doing things to ensure the safety of students and schools. The results show that 79% of respondents point out that there are clearly planned goals and tasks of the school police officer, and 84.1% believe that there is enough time to complete all defined tasks (Table 4).

In relation to notifications by the school about security incidents, 73.8% point out that the school submits a report to the police when necessary, 16.8% point out that they notify only the specific police officer who performs the duties of a school police officer, while 6.8% believe that they do not inform him about security incidents. The involvement of school police officers in other activities that are not part of the work tasks at the request of the principal, employees, parents, and children was also studied. 45.6% point out that 8.7% of the school police officers did not accept other activities because they were not specified in the description of the tasks that were performed. It was further investigated whether engagement contributes to the improvement of safety in the school, and the results show that 83.2% of respondents believe that they contribute to this. The majority of respondents, 82.2%, have no suggestions for improving the school police officer project (Table 4).

**Table 4: Perception of School Police Officers (Source: Authors' research)**

Variable	Category	Frequency (%)
Completed specialized training for school police officer's jobs	Yes	146 (47.2)
	No	159 (51.5)
Type of completed specialized training	Course	18 (5.8)
	Seminar	132 (42.7)
Number of schools in which police officers' jobs are performed	In one elementary school	71 (23)
	In one high school	29 (9.3)
	In several elementary schools	39 (12.6)
	In several high schools	29 (9.5)
	In mixed schools	138 (44.7)
Information about their own procedures provided by schools	Yes	277 (89.6)
	No	24 (7.8)

There are clearly planned school police officer's goals and tasks	Yes	244 (79)
	No	37 (12)
Enough time to complete the defined tasks	Yes	260 (84.1)
	No	33 (10.7)
Notification about security incidents provided by the school	Yes, but the school also submits the report to the police when necessary	228 (73.8)
	Yes, I am the only one who is informed	52 (16.8)
	No, I am not familiar with the fact that there used to be other security incidents	21 (6.8)
Involvement in other activities that are not a part of the job description upon the demand of the principle, employees, parents, and students	Yes	132 (42.7)
	No, there were no such demands	141 (45.6)
	No, I have not accepted other activities because they are not in the description of the job I do	27 (8.7)
Assessment of the relationship with the principal	1	1 (0.3)
	2	1 (0.3)
	3	66 (21.4)
	4	31 (10)
	5	198 (64.1)
Assessment of the relationship between students and their parents	1	0
	2	95 (30.7)
	3	42 (13.6)
	4	3 (1)
	5	160 (51.8)
Assessment of the relationship with employees	1	0
	2	76 (24.6)
	3	21 (6.8)
	4	2 (0.6)
	5	201 (65)
The engagement has contributed to the improvement of security in the school	Yes	257 (83.2)
	No	7 (2.3)
	I do not know	31 (10)
Existence of the proposal for improvement of the school police officer project	Yes	41 (13.3)
	I have no proposals	254 (82.2)

Regarding students' perception of school police officers, results show that the majority of respondents (65%) point out that unpleasant things do not happen, while only 12.3% point out that unpleasant things happen primarily outside of school. When it comes to turning to the school police officer for help in such situations, 12.4% always turn to the school police officer in such situations, and he always helps them. On the other hand, 14% do not contact the school police officer in such situations, while 39.5% point out that they do not have a school police officer. In relation to the visibility of the school police officer on the school premises, 16.5% point out that they often meet him on the way to school, while 13.6% claim that they sometimes meet him. In addition, 16% know the school police officer and always contact him, while 10.1% point out that they never contact the school police officer because they do not know if he knows them, and 1.3% are too shy to contact the school police officer. Further results determined that 33.9% of the respondents feel safe because the school police officer is nearby and because they can turn to him for help. In addition, it was found that 35.6% of respondents believe that they feel safer because the school has a school police officer (Table 5).

Table 5: Students' Perception (Trust and Presence) of School Police Officers (Source: Authors' research)

Variable	Category	Frequency (%)
The place where unpleasant events happen	Yes, they mostly happen out of school	285 (12.3)
	Yes, they mostly happen at home	21 (0.9)
	Unpleasant things do not happen to me	1505 (65)
	I am not sure	232 (10)
	They sometimes happen out of school	186 (8)
Turning to the school police officer for help in unpleasant situations	Yes, I always turn to the school police officer, and he always helps me	287 (12.4)
	I do not know who the school police officer is and whether we have one or not	243 (10.5)
	No, I never turn to the school police officer	324 (14)
	We do not have a school police officer	916 (39.5)
You meet the school police officer	Yes, I often meet him on my way to school	382 (16.5)
	I do not know who the school police officer is	228 (9.8)
	We do not have a school police officer	1005 (43.4)
	I am not sure	130 (5.6)
	I meet him from time to time	316 (13.6)
Greeting the school police officer when you meet	Yes, we know each other, he always greets me, and I greet him back	370 (16)
	I never greet him because I do not know whether he knows me	233 (10.1)
	I am not sure	322 (13.9)
	I sometimes greet him when I see he has recognized me	260 (11.2)
	I am too shy to greet him	31 (1.3)
The feeling of security when the school police officer is nearby	Yes, they stopped bullying me because he helped me several times	13 (0.6)
	Yes, I always see him somewhere around school, and I know I can turn to him	785 (33.9)
	No, he is never near when I need him	105 (4.5)
	We do not have a school police officer	313 (13.5)
You feel safer because there is a school police officer in your school	Yes	826 (35.6)
	No	182 (7.9)

Regarding teachers' perception (trust and presence) of school police officers, it was determined that 31.4% of teachers know the working hours of the school police officer during school hours. In contrast, 42.2% of respondents do not know such working hours. About 40.1% of respondents are partially informed about the school police officer, 25.9% believe that there is not enough information about the project, and 1.7% are informed via the school's website. Examining attitudes about the need for school police officers, it was determined that the majority of teachers (58.9%) believe that there is a need and that everyone feels safer when he is present on the school premises. In addition, 11.1% believe that it is not necessary because the school is located in a safe area where incidents rarely occur, and 8.2% believe that they do not know if there is a need for it. In relation to the assessment of the school police officer's familiarity with the security issues of the school he is in charge of, about 50.2% believe that the school police officers are aware of the school's security issues, while 22.1% are not sure. Certainly, the results show that the majority of teachers, 53%, trust and believe they have support from the school police officer and that they expect him to be always there and ready to help, while 7.9% believe that such support is needed in accordance with established procedures and at the request of the school principal. 4.2% of respondents believe that the school police officer cares about the safety of citizens.

When it comes to the qualities of a school police officer, 26.4% believe that he should be familiar with the premises as well as with students and school employees, should be communicative and tolerant (20.2%), have self-initiative (9.6%) and be open to new knowledge (11%). We further examined different attitudes and found the following: 45.6% believe that the school police officer is an important participant in the process of creating a safe and secure environment and that his presence contributes to increasing the safety around the school, while 2.6% believe that his role is not important. The largest number of respondents (41.3%) are not sure whether the negative impacts of facilities around the school have been reduced after the introduction of the school police officer. Only 18.5% believe that the negative impact has been reduced because of such introduction. About 30% believe that prevention measures have been increased in the school and its surroundings after the introduction of the school police officer; 17.9% believe that the introduction of a school police officer is an effective method of safety prevention and, if necessary, intervention around the school.

Further results show that 26.1% of respondents believe that seminars, conferences, and other activities related to school safety are regularly held, while 2.8% believe that they do not believe that there were any. At school, 62.4% of teachers feel safe, while 0.3% do not feel safe at all. 24.7% of respondents feel mostly safe, while 0.1% feel fear and discomfort. Within the school environment, 53.2% feel comfortable and safe, while only 0.5% do not feel safe at all on the way to school. In relation to the feeling of safety in the school now or before the introduction of the school police officer, the results show that 46% believe that they feel safer now, while 36.7% claim that there is no difference. The evaluation of the relationship between the school police officer and teachers shows that the majority of respondents (49.3%) think that such a relationship is excellent, while 1% think that such a relationship is very bad. On the contrary, the assessment of the relationship between the school police officer and students shows that the majority of respondents (49%) think that such a relationship is excellent, while 0.8% believe it is very bad.

With respect to the assessment of the importance of the role of the police in various types of violence, it was determined that the assessment of importance is the highest (67.6%) in terms of intimidation, blackmail with serious threats, extortion of money or things, preventing movement, offering drugs and alcohol. On the other hand, it is the lowest in sexual touching, showing pornographic material, showing intimate parts of the body, and undressing (34.9%). Examining the level of assistance from school police officers shows that 59.4% of respondents were not in a situation to seek the assistance of the school police officer, while 5.1% stated that it happened three to five times. Assessment of the need for school police officers shows that 65% of respondents believe that their introduction is necessary, while 5.7% point out that it is not necessary. In this regard, 51% of teachers believe that the introduction of a school police officer is a good idea and that it can bring numerous benefits (Table 6).



Table 6: Teachers' Perception of School Police Officers (Source: Authors' research)

Variable	Category	Frequency (%)
Familiarity with the working hours of the school police officer	Yes, while classes are in school	689 (31.4)
	Yes, eight hours	158 (7.2)
	Yes, during the day	147 (6.7)
	Yes, all day and night	30 (1.4)
	Not	926 (42.2)
Familiarity with the information about the school police officer	Yes, I have a pamphlet about the project/get information on the school's website	37 (1.7)
	Yes, I am fully familiar with the project	235 (10.7)
	I am partially familiar	881 (40.1)
	I do not know anything about the project	229 (10.4)
	I do not have enough information about the project	568 (25.9)
Attitude about the need for a school police officer	Yes, there is a need; everyone feels safer when he is there	1293 (58.9)
	Yes, there are often incidents in and around the school when they need to respond	132 (6)
	I do not know if there is a need	179 (8.2)
	No, there is no need for a school police officer	103 (4.7)
	No, the school is in a safe area; incidents rarely happen	243 (11.1)
Assessment of the school police officer's familiarity with the security issues of the school for which he is in charge	Yes, I expect the school principal to inform him about the school's security issues	345 (15.7)
	Yes, I expect him to know the school's security issues	1102 (50.2)
	No, it is better that he does not know about the school's security issues so that he does not have prejudices	17 (0.8)
	I am not sure	486 (22.1)
Support from the school police officer to ensure school safety	Yes, if the question involves criminal acts and misdemeanors (damage to school property, violence, etc.)	153 (7)
	Yes, I expect he is always there and ready to help	1163 (53)
	I am not sure	368 (16.8)
	Sometimes, according to the established procedure, at the invitation of the school principal	173 (7.9)
	The school police officer takes care of the safety of the citizens	93 (4.2)
Characteristics of a school police officer	Communicativeness and tolerance	443 (20.2)
	Self-initiative	210 (9.6)
	Openness to new knowledge	242 (11)
	Knowledge of the field as well as the students and employees of the school	579 (26.4)
The presence of the school police officer contributed to increased security around the school	Yes, but other factors were equally influential	472 (21.5)
	Yes, the school police officer is an important participant in the process of creating a safe and secure environment	1002 (45.6)
	I do not believe it; it is still unsafe around the school. I always follow the child to the entrance	9 (0.4)
	No, his role is not important	58 (2.6)
	I am not sure	409 (18.6)
Reduced negative impacts of the facilities around the school after the introduction of the school police officer	Yes, but other factors were equally influential	302 (13.8)
	Yes, the school police officer regularly visits facilities near schools	298 (13.6)
	I do not believe that it contributed to the reduction of impact	238 (10.8)
	No, his role is not important	76 (3.5)
	I am not sure	1036 (47.2)
Reduction of threats by	Yes, but other factors were equally influential	406 (18.5)



passers-by around the school after the introduction of a school police officer	Yes, the school police officer regularly visits facilities near schools	515 (23.5)
	I do not believe that it contributed to the reduction of impact	70 (3.2)
	No, his role is not important	53 (2.4)
	I am not sure	906 (41.3)
Increased prevention measures in the school and its surroundings after the introduction of the school police officer	Yes, but other factors were equally influential	659 (30)
	Yes, the school police officer regularly visits facilities near schools	485 (22.1)
	I do not believe that it contributed to the reduction of impact	55 (2.5)
	No, his role is not important	37 (1.7)
Increased measures of intervention in the school and its surroundings after the introduction of the school police officer	I am not sure	714 (32.5)
	Yes, but other factors were equally influential	545 (24.8)
	Yes, the school police officer regularly visits facilities near schools	480 (21.9)
	I do not believe that it contributed to the reduction of impact	84 (3.8)
The introduction of a school police officer is an effective method of safety prevention and, if necessary, intervention around the school	No, his role is not important	43 (2)
	I am not sure	798 (36.3)
	Yes, but other factors were equally influential	393 (17.9)
	Yes, the school police officer regularly visits facilities near schools	1171 (53.3)
Organized seminars, conferences, and other activities related to school safety	I do not believe that it contributed to the reduction of impact	38 (1.7)
	No, his role is not important	17 (0.8)
	I am not sure	331 (15.1)
	Yes, there were such activities	995 (45.3)
You feel at school	Yes, such activities are held regularly at the school	574 (26.1)
	I do not believe there were any	61 (2.8)
	No, there were not any	95 (4.3)
	I am not sure	225 (10.2)
School environment	Safe	1370 (62.4)
	Sometimes safe	19 (0.9)
	Mostly safe	543 (24.7)
	Mostly, I feel fear and discomfort	3 (0.1)
Feeling safe at school now or before the introduction of the school police officer	I do not feel safe at all	7 (0.3)
	Sometimes safe	42 (2.1)
	Pleasant and safe	1034 (53.2)
	I mostly feel discomfort and fear on the way to school	11 (0.5)
Assessment of the school police officer's relationship with teachers	Mostly pleasant and safe	845 (43.5)
	I do not feel safe at all on the way to school	10 (0.5)
	There is no difference	806 (36.7)
	I used to feel safer	33 (1.5)
Assessment of the school police officer's relationship with students	I feel safer now	1011 (46)
	Very bad	21 (1)
	Very good	350 (15.9)
	Good	376 (17.1)
The importance of the role	Bad	20 (0.9)
	Excellent	1083 (49.3)
	Very bad	17 (0.8)
	Very good	365 (16.6)
	Good	372 (16.9)
	Bad	21 (1)
	Excellent	1075 (49)
	Fighting, strangulation, throwing, causing burns and other injuries,	1382 (62.9)

of the police in different types of violence	deprivation of food and sleep, assault with a weapon	
	Intimidation, blackmail with a serious threat, extortion of money or things, preventing movement, offering drugs and alcohol, destructive groups	1484 (67.6)
	Camera recording of violent scenes, distribution of recordings and images, threats on social networks	897 (40.8)
	Sexual touching, showing pornographic material, showing intimate parts of the body, undressing	767 (34.9)
Help from the school police officer	More than ten times	50 (2.3)
	Once or twice	201 (9.2)
	I have never been in a situation where I needed to involve the school police officer	1304 (59.4)
	We collaborate every day	182 (8.3)
	Three to five times	113 (5.1)
Need for the school police officer	Yes	1428 (65)
	Not	126 (5.7)
	I do not know	153 (7)
	I have no opinion on that	143 (6.5)
The introduction of the school police officer was a good idea	Very	2 (0.1)
	Very	242 (11)
	Good	211 (9.6)
	Bad	11 (0.5)
	I have no opinion on that	263 (12)
	Excellent	1121 (51)

### Correlations between the Variables and the Attitudes of School Police Officers

T-test results show that there is a statistically significant correlation between men and women regarding the assessment of the relationship with senior officers ( $p = 0.000$ ) and the assessment of the relationship with other police officers ( $p = 0.09$ ). Further analyses show that men ( $M = 4.63$ ) have a higher score when they assess the relationship of police officers and senior officers than women ( $M = 4.30$ ). Moreover, it was determined that men ( $M = 4.58$ ) have a higher score than women when assessing the relationship of police officers with senior officers in police stations (Table 7).

**Table 7: Independent Samples *t*-test Results between Gender and the Variables Assessment of Relations during Performance of Work (Source: Authors' research)**

Variable	Gender					
	F	<i>t</i>	Sig. (2-Tailed)	df	Male X (SD)	Female X (SD)
Assessment of the relationship with parents	3.01	-0.29	0.76	298	4.36 (0.73)	4.39 (0.82)
Assessment of the relationship with school principals	11.54	2.15	0.33	148	4.59 (0.68)	4.36 (0.89)
Assessment of the relationship with employees in the school	2.98	0.62	0.53	298	4.60 (0.62)	4.55 (0.70)
Assessment of the relationship with senior officers	16.40	3.69	0.00**	298	4.63 (0.65)	4.30 (0.80)
Assessment of the relationship with other police officers	8.02	1.66	0.09*	293	4.58 (0.62)	4.44 (0.76)

\*  $p \leq 0.05$ ; \*\*  $p \leq 0.01$ .

In further analyzes of the Chi-square test, it was determined that there is a statistically significant correlation between gender and the following variables: planned goals and tasks ( $p = 0.00$ ) and other non-task activities ( $p = 0.00$ ). When it comes to the age of the respondents, its statistically significant correlation with the following variables was determined: security procedures ( $p = 0.00$ ); planned goals and objectives ( $p = 0.00$ ); time of activity realization ( $p = 0.00$ ); informing about situations ( $p = 0.00$ ); other activities outside tasks ( $p = 0.00$ ); suggestions for improving cooperation ( $p = 0.00$ ); safety improvement ( $p = 0.00$ ) (Table 8).

In relation to previous experience, a statistically significant correlation was established with the following variables: security procedures ( $p = 0.00$ ); planned goals and objectives ( $p = 0.00$ ); time of activity realization ( $p = 0.00$ ); informing about situations ( $p = 0.00$ ); other activities outside tasks ( $p = 0.00$ ); suggestions for improving cooperation ( $p = 0.00$ ); safety improvement ( $p = 0.00$ ). When it comes to the additional education of school police officers, a statistically significant correlation was established with the following variables: security procedures ( $p = 0.00$ ); planned goals and objectives ( $p = 0.00$ ); time of activity realization ( $p = 0.00$ ); informing about situations ( $p = 0.00$ ); other activities outside tasks ( $p = 0.00$ ); suggestions for improving cooperation ( $p = 0.00$ ); safety improvement ( $p = 0.00$ ) (Table 8).

Further analyses in relation to gender show that men emphasize that there are clearly planned goals and tasks of the school police officer more than women (men - 84.9%; women - 65.6%); to get involved in other activities that are not part of work tasks at the request of principals, employees or parents and children (men - 50.5%; women - 24.4%).

On the other hand, further analysis regarding age shows that respondents aged 45-55 mostly (95.4%) point out that the school introduced them to all the procedures and ways of doing things to ensure the safety of students and schools, while on the other hand, this is claimed to the smallest extent (59.1%) by respondents younger than 25 years old. Very similar results were also obtained when it comes to whether there are clearly planned goals and tasks of the school police officer, and it was determined that respondents aged 45-55 point out that there are mentioned goals and tasks to the greatest extent (90.8%), unlike the respondents under 25 years of age (50%). Respondents aged 45-55 point out that they have enough time to complete all defined tasks to the greatest extent (92.7%) compared to respondents aged 26-35 (71.8%). In addition, respondents aged 45-55 point out that the school informs them about security incidents that occur in the absence of school police officers to the greatest extent (82.6%) compared to respondents under 25 years of age (54.5%). Also, respondents aged 45-55 point out that they get involved in activities that are not part of work tasks at the request of principals, employees, or parents and children to the greatest extent (58.7%) compared to respondents under 25 years of age (9.1%). It is interesting to point out that young people over 25 years of age (95.5%) do not have suggestions for improving cooperation with school police officers. Further analysis shows that respondents aged 45-55 believe that engagement of school police officers contributes to the improvement of school safety to the greatest extent (92.7%) compared to respondents under 25 years of age (50%).

In relation to previous experience in the performance of police work, the results show that the respondents who have up to 30 years of work experience point out that the school introduced them to the procedures and ways of acting to achieve the security protection of students and schools to the greatest extent (97.6%), while respondents with up to 2 years of work experience make up the least amount (23.1%). Respondents who have up to 30 years of work experience point out that there

are clearly planned goals and tasks of the school police officer to the greatest extent (91.7%) compared to respondents who have up to 2 years of work experience (15.4%). In addition, respondents with up to 30 years of work experience point out that they have enough time to complete all defined tasks the most (92.8%), while respondents with up to 2 years of work experience do so the least (61.5%). Respondents with up to 30 years of work experience point out that the school informs them about security incidents and that they submit a report to the competent police station to the greatest extent (83.1%) compared to respondents (45%) with up to 2 years of work experience. In addition, it was determined that respondents who have up to 30 years of work experience believe, to the greatest extent (92.8%), that the engagement of police officers can contribute to improving school safety.

Taking into consideration the additional education required for performing the duties of a school police officer, the results indicate that respondents who have undergone additional education (97.2%) largely emphasize that the school introduced them to its procedures regarding actions for ensuring the security and protection of students and schools, compared to those who have not undergone additional education (85.5%). Moreover, respondents who have undergone additional education point out that there are clearly planned goals and tasks of the school police officer more (82.8%) than those who have not (78%). In addition, it was determined that such respondents emphasize that they have more time to complete the defined tasks (87.6%) than those without additional education (83.6%). They are more inclined to emphasize that the school informs them about security incidents that occur in their absence (78.6%) compared to those without additional education (71.7%). They also point out that they get involved in other activities that are not part of their work tasks at the request of principals, employees, or parents and children (49.7%) compared to those without additional education (37.7%). When it comes to improving cooperation with other police officers and senior officers, the results show that respondents who have undergone additional education believe that they have no suggestions for such improvement more (84.1%) than those without additional education (83.6%). They emphasize that their engagement contributed to the improvement of safety at school more (93.1%) than those who did not undergo such additional education (76.7%).

**Table 8: Chi-square Test Results between Gender, Age, Previous Experience, and Additional Education and School Police Officer Variables (Source: Authors' research)**

Variable	Gender		Age		Previous experience		Additional education	
	Sig. (2-tailed)	$\chi^2$	Sig. (2-tailed)	$\chi^2$	Sig. (2-tailed)	$\chi^2$	Sig. (2-tailed)	$\chi^2$
Security Procedures	0.67	0.77	0.00**	352.72	0.00**	56.94	0.00**	495.59
Planned Goals and Objectives	0.00**	21.23	0.00**	361.15	0.00**	72.66	0.00**	485.76
Time of Realization of The Activity	0.64	1.65	0.00**	335.97	0.00**	45.94	0.00**	485.56
Notification of Situations	0.57	2.00	0.00**	352.91	0.00**	59.24	0.00**	492.91
Other Off-task Activities	0.00**	20.49	0.00**	341.75	0.00**	44.64	0.00**	466.04
Information Exchange	0.26	0.54	0.54	3.06	0.39	4.10	0.15	5.23
Suggestions for Improving Cooperation	0.20	4.59	0.00**	323.56	0.00**	29.55	0.00**	402.51
Improving Security	0.86	0.83	0.00**	348.46	0.00**	37.26	0.00**	417.56

\* $p \leq .05$ ; \*\* $p \leq .01$

ANOVA results show that there is a statistically significant correlation between age and the following variables: assessment of the relationship with school principals ( $p = 0.00$ ); assessment of relationship with parents ( $p = 0.00$ ); assessment of relations with employees ( $p = 0.01$ ); assessment of relationship with senior police officers ( $p = 0.00$ ); assessment of relationships with colleagues ( $p = 0.00$ ). In relation to the previous experience, a statistically significant correlation was established with the following variables: assessment of the relationship with school principals ( $p = 0.06$ ) and assessment of the relationship with parents ( $p = 0.07$ ). In relation to additional education, it was determined that there is a statistically significant correlation with one variable related to the assessment of the relationship with parents ( $p = 0.06$ ) (Table 9).

Further analysis shows that respondents aged 46-55 had the highest score ( $x = 3.24$ ;  $sd = 0.94$ ) while assessing the relationship between school police officers and school principals; then with the employees of the school where they are employed ( $x = 4.70$ ;  $sd = 0.53$ ), as well as with senior police officers ( $x = 4.68$ ;  $sd = 0.59$ ). The highest score ( $x = 4.50$ ;  $sd = 0.73$ ) of the assessment of the relationship with children and parents of the schools in which they are engaged was recorded in respondents aged 36-45. In relation to previous experience, it was determined that respondents with over 30 years of work experience assessed the relationship with school principals with the highest score ( $x = 4.92$ ;  $sd = 0.28$ ). In addition, it was determined that respondents with more than 20 years of work experience assess the relationship with the children and parents of the schools in which they are employed with the highest score. When it comes to additional education, the results show that respondents who have additional education assess the relationship with children and parents in the schools where they are engaged with the highest score ( $x = 4.46$ ;  $sd = 0.71$ ) (Table 9).

**Table 9: One-way ANOVA Results between Age, Previous Experience, and Additional Education and Variables Assessment of Relations during Performance of Work (Source: Authors' research)**

Variable	Mean	Std. Deviation	Age		Previous experience		Additional education	
			<i>F</i>	<i>p</i>	<i>F</i>	<i>p</i>	<i>F</i>	<i>p</i>
Relationship with School Principals	4.52	0.76	7.79	0.00**	2.42	0.06*	2.49	0.11
Relationship with Parents	4.37	0.75	5.18	0.00**	2.33	0.07*	3.38	0.06*
Relationship with Employees	4.59	0.65	3.68	0.01*	0.85	0.59	2.29	0.13
Relationship with Senior Police Officers	4.53	0.71	4.57	0.00**	1.92	0.10	1.21	0.27
Relationship with Colleagues	4.54	0.66	2.63	0.06	0.88	0.47	0.11	0.73

\* $p \leq .05$ ; \*\* $p \leq .01$ .

## DISCUSSION

It was shown in our study that, as in similar earlier research conducted in the USA (Chrusciel et al. 2015) and in Serbia (Milojević et al. 2017; Spasić and Kekić 2012), students feel safer when the school has a school police officer. However, very few students turn to school police officers for help or contact them at all, indicating that there is little interaction between them. Theriot and Cuellar (2016) indicated in their research that students who have a greater number of interactions with police officers at school have a more positive attitude towards them. In our research, the data indicate that such interaction in Serbia is at a low level.

On the other hand, school police officers rate their relationship with principals and teachers as excellent, and the weakest relationship is with children and parents. Such data also indicate that school police officers have a weak interaction with students. As already pointed out by Fix et al. (2021), one of the shortcomings of training in the USA is that police officers receive minimal training on how to understand adolescents and how to communicate with them, and this is clearly the problem of Serbian police officers as well, as we have already stated that they do not have adequate specialized training.

Teachers in Serbia, in large numbers, believe that school police officers are necessary for schools. They receive support from school police officers, and they have a positive attitude towards school police officers on all issues. The results obtained on this issue do not differ in many ways from the attitudes of school employees in previously conducted studies, both in Serbia and in other countries (Chrusciel et al. 2015; Kekić and Spasić 2018; Öğülmüş et al. 2011; Spasić and Kekić 2012; Wolfe et al. 2017). The school police officers themselves agree largely with the views of the teachers that a school police officer is necessary for the school because they believe that the deployment of a school police officer improves safety in the school.

From the results of the presented research, it can be seen that more than half of the school police officers have not completed any specialized training. In comparison to the research in Texas, that number is 40% (Martinez-Prather et al. 2016). However, the problem in Serbia is even greater because only 5.8% of respondents stated that they completed a specific course, and 42.7% of them completed a seminar, which lasted one or two days. The question is whether it is possible to provide someone with at least basic knowledge and not provide the broader training that is necessary for a school police officer. The answer is no. From the above, it can be concluded that only 5.8% of school police officers have certain specialized training for the job, which is unacceptable data. Therefore, we would agree with the statement from the previous research by Milojević et al. (2017) that there is no organized specialized training in Serbia for a school police officer, which is otherwise a prerequisite for the successful work of a school police officer (Counts et al. 2018).

Another worrying fact is that only about 1/3 of school police officers in Serbia perform their activities in one school, while the rest work in two or more schools. The fact that this is not a good practice was confirmed in the massacre at the elementary school in Belgrade, where a police officer occasionally visited the school but was not at the school at the time of the shooting. We are not sure if she could have completely prevented the crime, but we assume that the consequences would have been less devastating. This is an extreme form of violence; however, with a partial presence in the school, the school police officer is not able to fully accomplish other, often simpler, tasks.

When it comes to the limitations of the conducted research, it should be noted that the research was conducted before the mass shooting in the elementary school in Belgrade. We assume that the results of the research would be somewhat different now, but not more dramatic, because even then, the respondents had a positive attitude about the school police officer, and now this would probably be the same. In any case, a subsequent investigation should be conducted after the mentioned event in order to have a complete insight into the current situation. Moreover, it can be seen that a number of answers are missing in tables showing the results, which is perhaps more notable than in other surveys. However, since there was a large number of respondents, we consider the data to be valid.

This is the first study in Serbia and Southeast Europe that examined the role and importance of the school police officer, with a large number of respondents from different categories. The research has a special significance for the current situation in Serbia because school police officers were introduced en masse in all schools after the mass shooting in the elementary school in Belgrade. This study can contribute to the positive direction of this trend so that the "school police officer" program can be successfully implemented in schools throughout Serbia. Besides, it can help to overcome the current difficult situation and reduce fear among children in schools.

## CONCLUSION

Although the data for our research was collected before the unfortunate events in Belgrade, the results suggest that the entire public (students, parents, teachers, principals, and school police officers) believes that a school police officer is needed in schools and that he has a very positive effect on school safety. After the mass shooting at the school in Belgrade, we believe that the public will be even more convinced that it is necessary. However, the simple presence of the school police officer on the premises is not enough; his work must be improved. That is why it is necessary to undertake three types of measures: regulatory, informative-educational, and institutional-organizational.

Within the first group of measures, it is necessary to establish a school police officer institute within formal frameworks, that is, to systematize the job position - the school police officer, because currently, the said job is performed by different police officers, who are not sufficiently trained in the field. It is necessary to draw up instructions for this job, which will regulate the actions of a school police officer in detail.

Institutional-organizational measures include the definition of clear criteria that a police officer can perform the duties of a school police officer because they do not exist now. In addition, the question arises whether every school needs a school police officer. That is why it is necessary to define clear, minimum criteria for the introduction of a school police officer in a certain school (number of students, distance from the police station, coverage by patrol and police activities, number of committed offenses and criminal acts in and around the school, number of disciplinary measures imposed in by the school, etc.), by which his introduction to the school according to someone's "free judgment" would be avoided. In order to improve the work of the school police officers and exchange experience, it is necessary to connect all school police officers in the School Police Officer Network through internal police networks or social networks in order to exchange experiences on security-related issues in schools. One of the most important rules would be "one school police officer - one school", which was not applied at the time of the school massacre in



Belgrade. In many schools in Serbia, one school police officer works in two or more schools, often during a short period. The school police officer is not able to fulfill his tasks completely due to his partial presence in the school, which was also the case in the case of the massacre in the elementary school in Belgrade because she was not present at the time of the attack.

Informational and educational measures include the establishment of special training for school police officers and the creation of a training program (Handbook) for the "school police officer". In accordance with the newly created situation in Serbia, one part of the training would have to refer to the actions of school police officers in AMOK situations, that is, mass shootings in schools. In addition to independent training for school police officers, it is necessary to conduct joint training with school representatives. All the above measures would help each school where security is threatened to get its school police officer, who will contribute to increasing the safety of students in schools, feeling of safety of students and employees, and particularly help to avoid tragedies like the one that happened in the elementary school in Belgrade.



## CRediT AUTHOR STATEMENT

**Bojan Janković:** Conceptualization, methodology, software, visualization, investigation.

**Vladimir M. Cvetković:** Conceptualization, methodology, software, validation.

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**Božidar Otašević:** Supervision, writing - reviewing and editing.

**Aleksandar Ivanov:** Writing - reviewing and editing.

All authors have read and agreed to the published version of the article.

## COMPLIANCE WITH ETHICAL STANDARDS

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The study was conducted according to the guidelines of the Declaration of Helsinki and approved by the Institutional Review Board of the Scientific-Professional Society for Disaster Risk Management and the International Institute for Disaster Research (protocol code 001/2022, 7 October 2022).

### **Statement of Human Rights:**

This article does not contain any studies with human participants performed by any authors.

### **Statement on the Welfare of Animals:**

This article does not contain any studies with animals performed by any authors.

### **Informed Consent:**

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No potential conflict of interest was reported by the author/s.

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# METHODOLOGY FOR DEVELOPING A SECURITY ENVIRONMENT

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**Abstract:** *The research conducted in this article is a substantiation of the method for strategic management of the development of the Ukrainian border security environment. The essence of the method is to determine the phases for the current state and the projected period for particular sectors of the state border, depending on their inherent characteristics, further selecting the concept of border security on this basis, establishing the type of barriers and criteria for ensuring border security that are appropriate for use. Further application of the methodology involves conducting a SWOT analysis for particular sectors of the state border, which identifies the strengths and weaknesses of the internal environment, opportunities and threats inherent in the external environment, and the formation of possible strategies for ensuring border security in three variants of organizing activities (in the conditions of day-to-day activities, a complication of the situation and martial law). Based on the results of the analysis and the illustrative example, it can be concluded that the proposed method for strategic management of the development of Ukraine's border security environment is one of the possible effective mechanisms in the activities of the subjects ensuring Ukraine's border security.*

**Keywords:** *SWOT Analysis; Security Environment; Concept; Method; National Security; Border Security; Strategy*

## INTRODUCTION

Currently, the Ukrainian people and state are facing the most significant threat that can arise on the path of historical development, i.e., the threat of Ukrainian statehood and nation destruction. In the context of martial law, which was introduced in the country on February 24, 2022, the sense of protecting state sovereignty, territorial integrity, democratic constitutional order, and Ukraine's other national interests from actual and potential threats has become particularly important. Many of these threats are systemic and require appropriate active counteraction.

The possibilities of Ukraine's development during martial law and the postwar period are directly related to the awareness of the individual, society, and the state of the need to create a living environment with a sufficient degree of security. This factor is essential within the border area of Ukraine, which is adjacent to the border areas of other states.

The development of the security environment is a process of targeted consolidation of efforts of various state institutions, civil society, and the international community. For example, the importance of the development of the state's security environment and the attention paid to it by the

Ministry of Internal Affairs of Ukraine (MIA) and the Administration of the State Border Guard Service of Ukraine (SBGS) is evidenced by the following.

In March 2023, the MIA launched a project to develop a regulatory legal act (RLA) on the formation of the security environment. The SBGS was also involved in its implementation. In particular, the Administration of the State Border Guard Service has developed proposals for the establishment of a working group to develop a draft RLA and a working subgroup on public security and civil protection to assess the state of the security environment, identify processes, factors, and threats that affect the security environment, their possible consequences, and identify risks in the activities of the MIA system.

The next step in this direction was the development of the Plan of Practical Measures for the Formation of Ukraine's Security Environment, which the SBGS received from the MIA in May 2023.

Under this order, the Administration of the SBGS developed proposals for a draft List of Detailed Measures for the Implementation of Tasks to Shape the Security Environment of Ukraine by the SBGS, Other Central Executive Authorities, State Authorities, and Local Self-Government Bodies. In addition, the Administration of the SBGS has also developed proposals for the draft Law of Ukraine, "On the Organizational and Legal Principles of Forming the Security Environment in Ukraine".

## LITERATURE REVIEW

Obviously, the quality of the task of developing the state's security environment directly depends on its scientific support. This explains the fact that the scientific aspects of the development of such a project are analyzed in parallel with the organizational aspects. This is confirmed by scientific papers that investigated several prerequisites for the development of the border security environment.

In particular, the work (Levadnyi et al. 2023) systematized the basic prerequisites for the scientific substantiation of the directions of development of the border security (BS) system as a mechanism for the development of the border security environment (BSE) of the state.

The concepts of the state security environment and specific aspects of its development, national, state, military, border security, and state border (SB) security are determined. The system of ensuring BS in structural and functional terms and the context of BS through the prism of the security environment are evaluated. The authors determine an appropriate approach to assessing the state of BS and the distribution of tasks to ensure it by different subjects. A retrospective analysis of the mechanisms for ensuring BS through the prism of the historical development of the border agency is carried out.

The scientific article (Levadnyi et al. 2023) analyzes the development of national and regional BSE of the leading countries of the world and assesses the possibility of its use in Ukraine. Based on the results of the study, the following conclusions are drawn: the development of the world's BSE is influenced by many internal and external conditions and factors, which is manifested in the search for and establishment of a rational balance between the barrier and contact functions of the SB; for Ukraine, it is urgent to fulfill the tasks of the planned "embedding" of its national BS system into the EU regional BS system, ensuring interoperability for future operational and technical interaction between the integrated border management systems (IBMs) of Ukraine and the EU; the development of the state's BSE depends on taking into account the military and terrorist threats on the SB with the

Russian Federation (RF) and the Republic of Belarus (RB); the formation of a promising BS system should be carried out taking into account: the need to ensure its adaptability to significantly differentiated conditions of the BSE; the need to adjust the system of RLA of Ukraine regulating the activities of the SBGSU and to create its relevant capabilities.

Other scientific works have studied the issues of ensuring Ukraine's security in its border area. These include, in particular, the works of Shynkaruk (2019) and Nazarenko (2018, 360). Their scientific analysis through the prism of the problem being investigated was carried out in work (Levadnyi et al. 2023).

## THEORETICAL FOUNDATIONS OF THE METHOD FOR SOLVING THE INVESTIGATED PROBLEM

Assumptions:

1. We understand the management of the development of the BSE as the implementation of a set of planned measures aimed at ensuring BS (i.e., achieving its acceptable level) following an appropriate strategy within the framework of a defined concept.
2. Ukraine's border security environment is quite differentiated in space and dynamic in time. This makes it irrational to apply a single (typical) approach to ensuring BS in different sectors of the SB and within different historical boundaries since concepts and strategies should correspond to existing and projected conditions formed by a variety of factors, including military and political, criminal, social and economic, cultural and humanitarian, physical and geographical and other. Instead, the application of a standard conceptual approach to the entire border area at the strategic level can lead to several problematic issues at the regional (operational) and local (tactical) levels, including errors in decisions on operational and service activities, decisions that cannot be fully implemented within the framework of a standard approach; irrational planning and use of resources.

Therefore, to substantiate the concept of BS and the strategy for its provision (development of the BSE) in differentiated conditions, appropriate methodological recommendations are needed that would determine the range of urgent tasks and the resources and technologies required for their implementation on "target-focused" (on conditionally homogeneous areas of responsibility) approach. Therefore, we assume that the adequacy of a BS system should be determined by its compliance with a set of conditions and factors inherent in a particular sector of the border space, taking into account their changes during the projected period for which the system is being designed.

Thus, an example of confirmation of the objectivity of spatial differentiation and temporal dynamics of the BSE is the impact of the armed aggression and hybrid actions of the RF from February 2014 to the present on BS, as a result of which:

- the border regions of Ukraine adjacent to the RF and RB, as well as the Autonomous Republic of Crimea and the city of Sevastopol, have been temporarily occupied;
- a loss of control over a significant part of the SB and maritime area of Ukraine;
- Legitimate cross-border traffic through the Ukrainian-Russian and Ukrainian-Belarusian SB was stopped. Ukrainian airspace was closed to civilian aircraft, ship passage was significantly restricted, and navigation in Ukrainian maritime waters was obstructed.

At the same time, until February 2014, legitimate cross-border flows of people, vehicles, and cargo were almost unimpeded in the SB sectors with Russia and Belarus, with minimal border formalities.

Another confirmation of the objectivity of the spatial differentiation and temporal dynamics of the BSE is the situation in the sectors of the SB of Ukraine with the EU Member States. Where once there was an “Iron Curtain”, following the strategic course of the state for Ukraine’s full membership in the EU and the North Atlantic Treaty Organization, defined in the Constitution of Ukraine, there is a gradual reduction of border barriers due to visa liberalization and the implementation of a deep and comprehensive free trade area (Decree of the President of Ukraine 2011; The Association Agreement 2014). This has already led to a significant increase in cross-border flows. Thus, on the southwestern border of Ukraine, the border space acquires the features of a particular dynamic political, social, and economic space, full of potential for interaction and cooperation between different groups of social actors: people, societies (border residents, public associations, social and political movements, etc.) and subjects of international relations (states, their regional associations (unions), international governmental and non-governmental (non-state) organizations, participants in foreign economic activity, etc.)). In other words, in this border space, the vital interests of various national, foreign, and international actors are realized, which ensures the progressive democratic development of states, as well as proper conditions for the life and well-being of people.

The differentiation of the border space can be determined by many features, in particular, based on the typology of borders and borderlands. The latter can be estimated from Table 1.

**Table 1: Typology of Borders of States and Borderlands (Source: Kupriienko et al. 2014)**

Typological Feature	Border Type	Typological Feature	Borderland Type
By the status of recognition	Official state borders	Depending on the dominant function	Open
	Borders of territorial waters		Closed
	Formally non-state borders	By the type of contact area	Transitional
By configuration (by the method of marking)	Winding and broken		Joint
	Geometric		Frontline
	Astronomical	By the reason of formation	Historically determined
By the space of formation	Land		Politically determined
	Water Boundaries	By the number of social and cultural communities bordering	Bicultural
	Air		Multicultural
	Subsoil boundaries	By the degree of cultural distance between social and cultural communities bordering	Culturally variable
By origin, history, and duration of existence	Antecedent or pioneering		Culturally confronting
	Imposed	By the degree of dominance of one of the bordering parties	Socially symmetrical
	Sub-segmental, or sectional, or subsequent		Socially asymmetric
	Religious	By the degree of political conflict between the parties bordering	Conflicting
	New or post-Soviet		Conflict-free
	Old	By geographical factor	Geographically separated
By geographical criterion (since the nineteenth century)	Natural		Geographically inseparable
	Artificial		
By the functional criterion	Barrier (alienable, or frontal, or closed, or rigid, or border)		
	Filtration (translucent, semi-permeable, or hybrid)		
	Contact (open, soft, or frontier)		
By the nature of the interaction between states	With extensive (quantitative) interaction		
	With intensive (qualitative) interaction		

It should be noted that it is pretty challenging to make (for this research) an unambiguous differentiation between the real SB and the borderland according to these features since, firstly, their “pure” types practically do not exist. Combinations of different types give rise to complex political and socio-cultural formations that have many options for their emergence and development. A large number of typological features leads to a cumbersome and branched characterization of the border space. Secondly, such features have an indirect impact on the formation of the concept of BS and the strategy for the development of the BSE since the above typology is mainly of a statement nature and does not reflect the peculiarities of Ukraine’s foreign policy towards each adjacent state. Therefore, the feasibility of using a particular typology should be determined by the specific tasks and sectoral specifics of the research.

In our opinion, a more systemic characteristic that can be used to substantiate the concept of BS and the strategy for the development of the BSE is the state of interstate relations (ISR) as a category and subject of international law.

Several works have been devoted to the study of ISR, in particular, the work (Zhurba 2008) by the Polish scientist T. Komarnytskyi. In this work, the scholar differentiated six phases through which the ISR can be modeled. At the same time, it should be noted that the phases of the ISR are directly related to the levels of barrier (closedness) and contact (transparency, serenity) type of the SB, which, in turn, reflect current national interests in the border area, determine border policy and can serve as a basis for justifying specific approaches to managing the development of the BSE. The mechanisms for regulating the fundamental functions of the SB (barrier, contact, and filtration) are shown in Figure 1.

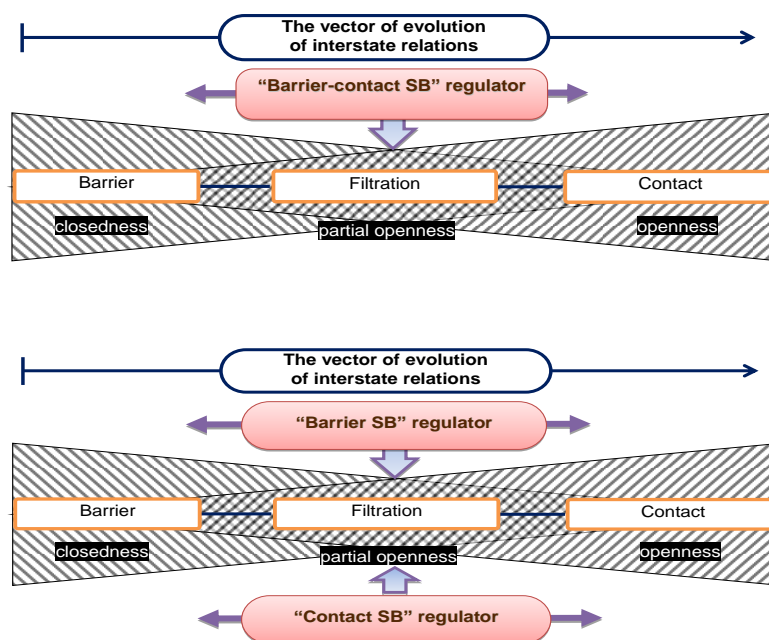


Figure 1: Correlation of the Fundamental Functions of the SB

a) Linear Dependence (synchronous regulators); b) Nonlinear Dependence (asynchronous regulators)  
(Source: Kupriienko 2016)

At the same time, in (Kupriienko 2016), the above list of phases was reasonably supplemented by the initial phase (with a complete break or absence of ISR) and the final phase (with the removal of all obstacles to interstate cooperation). Thus, the improved system of phases of the evolution of the ISR is as follows:

I - there is no cross-border traffic; the borders are entirely of a barrier type and militarily protected;

II - the military function of the borders is decreasing while their social and economic importance is being restored;

III - reduction of the military barrier while the economic (duties) and social (passports, visas) significance of the borders remains stable;

IV - the economic and social significance of borders is lost due to liberalization (reduction of state control) of foreign trade and passport policy, but visa regime and control over movement across borders remain (economic integration begins at this phase);

V - further liberalization of trade in goods, as well as the introduction of visa-free travel with relative control over movement across borders;

VI - full liberalization of trade in goods, as well as complete freedom of movement across borders; border control is simplified and limited to the maximum extent possible;

VII - full liberalization of trade in goods, as well as complete freedom of movement across borders, subject to simplified and limited border controls;

VIII - complete elimination of border controls, and movement across the border can take place anywhere and at any time.

In many cases, border barriers are a combination of individual factors.

More detailed aspects of the concept of border security in the context of the theory of international relations, as well as analytical and graphical dependencies of its provision, are presented in the article (Kupriienko 2016, 6).

Figure 2 summarizes the above theoretical aspects as the relationship between the phases of the ISR and their inherent characteristics of the ISR, the main functions of the SB, levels of border barrier/contact, types of border barrier, names of individual concepts of BS, and criteria for its provision.

In general, such information is necessary for the selection of a particular BS concept in the border space with a particular adjacent state or a group of phase-related states. At the same time, the choice of BS concept in Ukraine's border maritime and airspace may be based on the results of the risk analysis, not based on the ISR phases. Further, this article will substantiate the appropriate strategy for the development of the BSE within the framework of the chosen BS concept.

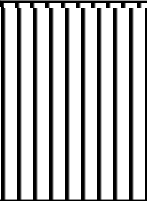
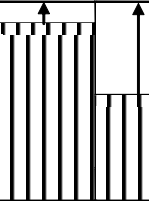
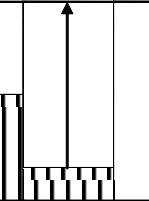
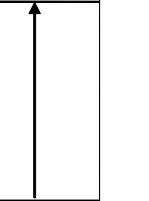

ISR phases	I, II	III	IV, V	VI, VII	VIII
ISR characteristics	Conflicting	Competitive			Friendly
Main functions of the SB	Barrier	Filtration			Contact
The level of border barrier (indicated by dashes) and contact (indicated by arrows) SB					
Border barrier types: landscape; military; physical; demographic; communication; administrative and legal (institutional); social and cultural; economic.	+/- + + + + + + +	+/- - + +/- - - + +	+/- - - - - + +/- +/-	+/- - - - - - +/- +/-	+/- - - - - - - -
Names of individual concepts of border security between adjacent states	State borders are closed: “Border walls”, “Iron curtain”	State borders are open but well controlled and protected: “Integrated (comprehensive, coordinated, harmonized, joint) border management” “Secure (protected) and smart borders”			State borders are fully open between the member states of the regional association: “The world without borders”
Criteria for BS ensuring	$B \rightarrow \max$ $C \rightarrow \min$	$B \rightarrow \max$ $C \rightarrow \max$			$B \rightarrow \min$ $C \rightarrow \max$

Figure 2: Scheme of selection of BS concept depending on the phase of the ISR (B - barrier, C - contact)  
(Source: Kupriienko 2016, 99)

Approaches to the functional modeling of SB transparency following the selected concepts can be assessed (Kupriienko 2016 11). Based on the analysis of Ukraine's military and political situation as well as its foreign policy, the current and projected phases of its relations with adjacent states can be presented in the form of Table 2.

Table 2: Phases of Ukraine's Interstate Relations with Adjacent States (Source: Authors' depiction)

State Adjacent to Ukraine	The Phase of Interstate Relations		
	Current	Projected	
		for 5 years	for 10 years
<i>EU Member States</i>	-	-	-
Republic of Poland	IV-V	VI	VII
Slovak Republic	IV-V	VI	VII
Hungary	IV-V	VI	VII
Romania	IV-V	VI	VII
<i>CIS Member States</i>	-	-	-
Republic of Moldova (excluding the Transnistrian segment)	IV	IV	V
Republic of Moldova (within the Transnistrian segment)	II	III*	IV*
		*Under conditions of liberation from the occupation of the Transnistrian segment	
Republic of Belarus	I	I	II
Russian Federation	I	I	I



In addition to the considered phases of ISR, the implementation of the chosen BS concept is significantly impacted by the organization of the activities of BS subjects (integrated border management, security forces, and defense forces) and the realization of their capabilities following the legislation of Ukraine and relevant guiding documents. Thus, in our opinion, it is advisable to distinguish three main options for organizing the activities of BS sector subjects, namely in day-to-day conditions, in complicated situations, and conditions of martial law.

## Statement of the Problem

However, a significant problem is that there are currently no regulatory provisions to substantiate a rational approach to the strategic development of Ukraine's border security environment.

Despite the considerable attention paid by scholars to the issues of finding directions and mechanisms for ensuring the components of national security, comprehensive instrumental mechanisms for the development and management of Ukraine's BSE have not been studied.

Given the above, the article aims to develop scientific and methodological instrumentation for strategic management of the development of Ukraine's BSE.

## Research Methodology

To develop scientific and methodological tools for the strategic management of Ukraine's BSE development, it seems appropriate to:

- formulate the task determined by the aim of the article;
- describe the method of solving the problem under research;
- evaluate the theoretical foundations of the method of solving the problem under research;
- describe the technology for solving the problem under research and evaluate an illustrative example of the application of the proposed method.

## Statement of the Task

The initial conditions are set:

1. a general scheme for choosing a BS concept (see Figure 2), the basic elements of which are the phases of the ISR with adjacent states and their inherent characteristics of the ISR, the main functions of the SB, levels of border barrier/contact, types of border barrier, names of individual concepts of BS, and criteria for its provision;
2. the current state of the BSE with each of the adjacent states, characterized by a particular phase of the ISR (see Table 2);
3. a forecast for the development of the BSE with the adjacent states (the projected phase of the ISR) for a certain period (see Table 2);
4. possible options for organizing the activities of the subjects, ensuring BS, and realizing their capabilities following the legislation of Ukraine and relevant guiding documents in day-to-day conditions, in conditions of complicated situations, and in conditions of martial law.



Considering the data from subparagraphs 1-4 of the initial conditions, it is necessary to choose a rational concept for BS. Taking this concept into account, it is essential to justify the strategy for the development of the BSE (ensuring BS), which involves selecting an appropriate set of solutions. These solutions aim to ensure the optimal security level in the border space with each of the adjacent states, hereinafter referred to as a particular sector of the SB.

## Methods

The algorithm of the method of solving the problem under research can be evaluated from Table 3 and consists of filling in individual cells in the sequence of the columns of this table.

Table 3: Determination of a Rational Strategy for the Development of the BSE (Source: Authors' depiction)

Particular Sectors of the SB (Adjacent States) (i)	Conditions on a Particular Sector of the SB (j)	ISR Phase		BS Concept; Type of Border Barrier; Criterion for BS Ensuring		Information on a Particular Sector of the SB for SWOT Analysis				Multiple Strategies for BSE Development (k)				The Result of Choosing a Rational Strategy for BSE Development (i,j,k)
						Characteristics of the Internal Environment		Characteristics of the External Environment						
		Current	Projected	Current	Projected	Strengths	Weaknesses	Opportunities	Threats	1	2	3	4	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	1													One of the strategies 1.1.1-1.1.4
	2													One of the strategies 1.2.1-1.2.4
	3													One of the strategies 1.3.1-1.3.4
2	1													One of the strategies 2.1.1-2.1.4
	2													One of the strategies 2.2.1-2.2.4
	3													One of the strategies 2.3.1-2.3.4
...														...
n	1													One of the strategies n.1.1-n.1.4
	2													One of the strategies n.2.1-n.2.4
	3													One of the strategies n.3.1-n.3.4

**\*Note:**

i,j,k - a symbol for a reasonable BS strategy;

i - number of a particular sector of the SB (i = 1,2,...,n);

j - number of conditions on the SB (j = 1,2,3): 1 - conditions of day-to-day activities; 2 - a complication of the situation; 3 - martial law conditions.

Each BSE development strategy for a particular sector includes all of the above conditions j;

k - strategy number (k = 1,2,3,4): 1 - strengths - opportunities (max-max); 2 - weaknesses - opportunities (min-max); 3 - strengths - threats (max-min);

4 - weaknesses - threats (min-min).

## FINDINGS

The theoretical foundations and description of the method of solving the problem under research allow us to evaluate the technology of its solution.

For such an assessment, it should be noted that the 1st, 3rd, and 4th columns of Table 3 are filled in from Table 3, taking into account the projected period under research. To fill in the 5th and 6th columns of Table 3, it is necessary to use the data from Figure 1 on the characteristics of the relevant phase of the ISR, namely, the types of border barriers inherent in it, the concept and criteria for ensuring BS, and other information (if necessary).

Filling in the 7th-10th columns of Table 3 within the SWOT analysis for a particular sector of the SB can be carried out based on assessing the elements of the BSE, taking into account the methodology of strategic analysis. This methodology involves analyzing the general characteristics of the elements of the military and geographical division of the territory; military and political conditions; military and economic conditions; physical and geographical conditions; environmental and sanitary-epidemiological conditions; infrastructure; capabilities of the SBGSU and other subjects of ensuring BS.

The result of the SWOT analysis will be to identify possible strategies (columns 11-14 of Table 3) and to select the appropriate strategy to be followed to ensure BS at a particular sector of the SB (column 15 of Table 3).

Following the chosen strategy (column 15 of Table 3), a set of tasks and measures aimed at determining the necessary resources of all types, their rational spatial and temporal distribution, and use in the interests of protecting national interests in each particular sector of the SB in day-to-day conditions, in conditions of complicated situations and conditions of martial law should be further determined.

The application of the strategic analysis methodology of the SB sector will be demonstrated through the example of the Ukrainian-Belarusian sector of the SB. Conclusions for each of the sections above will be recorded simultaneously.

In terms of the general characteristics of the elements of the military and geographical division of the territory:

1. The Ukrainian and Belarusian nations have a significant historical background and favorable geopolitical position for building friendly foreign policy relations. The current state of relations is characterized as a "Cold War".
2. RF has extremely powerful levers of influence on Belarus, which makes it impossible to implement the idea of changing Belarus' strategic orientation to a pro-European one.
3. The Ukrainian-Belarusian border is characterized as a matter of manipulation and disinformation by specific political figures not only in Belarus but also in foreign countries.

In terms of the military and political situation:

1. Belarus is an ally of the RF and supported it in the invasion of Ukraine in February 2022. Before the large-scale invasion, the RB allowed Russia to conduct a week-long military exercise on its territory. However, Russian troops did not leave the RB territory after the exercise.
2. The RB allowed the RF to invade Ukraine from its territory. However, in April 2022, units of the armed forces (AF) of the RF retreated from the territory of Ukraine, ceasing ground military operations from the RB. As a result, the Ukrainian part of the border region was de-occupied. Nevertheless, the situation in the Ukrainian-Belarusian sector of the SB remains tense.
3. The state of BS is influenced by:
  - the fulfillment of tasks by the armed forces of the RB to provide military cover for the Ukrainian-Belarusian border;
  - combat training of the Russian armed forces at the Belarusian military training grounds.

In terms of military and economic situation:

1. Even without the direct involvement of the Belarusian armed forces in the war against Ukraine, the Belarusian economy is already suffering significant losses. These losses affect the state of its public finances, in particular, due to a drop in budget revenues.
2. Unlike the RF, which, despite the sanctions, receives tens of billions of dollars from oil and gas exports, the RB has no such economic reserves. Its economic model has failed under the sanctions.
3. Possible new economic restrictions related to the RB's participation in the war against Ukraine may destroy even the remnants of economic stability in the RB.

In terms of the identification of threats to national security on the border with the RB:

1. The analysis of the overall security situation on the border with the RB shows that it remains tense. First of all, the development of the current situation is influenced by the uncertainty of the top leadership of the neighboring country in foreign policy. In particular, there is an attempt to balance between the collective West to mitigate or altogether cancel the imposed powerful economic sanctions and the RF.
2. To date, there are no signs of the enemy forming strike groups to resume offensive actions on the part of the RF.
3. The situation has not changed significantly over the last period. The units of the armed forces of the RB continue to perform tasks to strengthen border protection.
4. At the same time, we should expect the continuation of the destructive policy of the leadership of the RB towards Ukraine. As a result, possible challenges and threats will be:
  - new statements and accusations of Ukraine of "unfriendly actions" towards the RB, including preparations for an armed invasion of the RB. At the same time, a high level of anti-Ukrainian and anti-Western propaganda will be maintained in the digital and media space of the RB;
  - further comprehensive political and military support of the aggressor country by the RB, including the use of its territory for training of the mobilized military personnel of the RF and massive air and missile strikes, artillery shelling of civilian, military, transport, and critical infrastructure of Ukraine;
  - launching barrage munitions from the Belarusian part of the Chornobyl zone (Polissya Radiation and Ecological Reserve) into the territory of Ukraine;
  - active radio and aerial reconnaissance, including with the use of UAVs;
  - maintaining a high level of threat of a repeated armed invasion of Ukraine from the territory of the RB by the joint regional grouping of troops of the RB and the RF on the Zhytomyr, Chernihiv, Volyn, and Rivne directions. At the same time, the resumption of offensive actions in Ukraine through the exclusion zone and unconditional (mandatory) resettlement is not excluded.
5. Attempts to redirect, with the assistance of Belarusian border guards, the flow of illegal migrants from the border of Belarus with the EU countries to the border with Ukraine to identify weaknesses in the defense and protection of the SB, to conduct direct reconnaissance of the positions of the Ukrainian Defense Forces or to distract from the areas of possible invasion cannot be ruled out.

In terms of the assessment of threat scenarios:

After the end of the legal regime of martial law, we can expect three possible scenarios for the development of the situation at the SB.

1. If the RF and RB continue their aggressive political course toward Ukraine.

The totalitarian regime in the RB will be strengthened, and the country will become an area isolated from the civilized world. The top military and political leadership of the RB will not abandon its long-term strategic goals of cooperation with the RF and deployment of nuclear weapons on its territory. There will be an increase in military presence on the border with Ukraine, and provocations using all elements of hybrid warfare will continue.

2. In case of violation of the state system and emergence of internal conflicts in the RB.

The dissatisfaction of the society of Belarus with the policy of warfare, significant material losses in the war with Ukraine, and decline in the social and economic level of the civilian population (as a result of economic sanctions) may lead to the emergence of a resistance movement, acts of civil disobedience, which will lead to a change of government, possible secession of some regions, the emergence of new state entities and the outbreak of civil war. As a result, the mass movement of illegal armed groups and refugees from Belarus to Ukraine is not excluded.

3. If the aggressive political course of Russia and Belarus changes and diplomatic relations are restored.

Russia and Belarus will change their foreign policy towards Ukraine. The territory of Ukraine will return to the internationally recognized SB. The leadership of the aggressor country will try to take measures to restore civilized diplomatic and economic relations, as well as reduce its military presence in the border areas.

The functioning of some border crossing points (BCPs) will gradually resume, and passenger and traffic flows will increase. The continuation of sanctions against Russia and Belarus destroyed and damaged infrastructure, and low social and humanitarian standards of living in the border areas will contribute to the intensification of organized illegal activities.

If this scenario is realized, there will be a need to establish diplomatic relations with Belarus, update the legal framework on border issues, continue to implement IBM principles, regain control over the SB, fortify and equip the SB, resume the functioning of the BCPs; and develop border infrastructure, including using modern innovative technologies.

Thus, the above results of applying the methodology of strategic analysis to the Ukrainian-Belarusian SB allow us to proceed directly to the SWOT analysis as a mechanism for filling in the 7th-10th columns of Table 3.

This analysis will be conducted using the example of the day-to-day activities of the SBGSU conditions.

To do this, we will first describe the strengths and weaknesses of the internal environment, as well as the opportunities and threats posed by the external environment. A similar approach can be found in Bratko et al. (2021).

*Strengths under the conditions of day-to-day activities:*

1. the functioning of a sufficient number of BCPs and control points at the state border of Ukraine; the functioning of the departmental biometric control system;
2. functioning of an adequate “green border” protection system;
3. increasing the capacity of the state border protection on the river sectors;
- ...
10. creation of an integrated system of protection for the entire length of the SB of Ukraine based on innovative engineering and technical solutions.

*Weaknesses under the conditions of day-to-day activities:*

1. inadequacy of the BCPs infrastructure and access roads to meet the growing capacity needs;
2. insufficient level of engineering and technical equipment and logistical support for the security of the BCPs;
3. low staffing of border guard units;
- ...
10. insufficient efficiency of the state border protection system.

*Opportunities under the conditions of day-to-day activities:*

1. protecting the SB of Ukraine following its powers on land to prevent illegal changes in the passage of its line, ensuring compliance with the SB regime and border regime;
2. carrying out, following the established procedure, border control and passage of persons, vehicles, and cargo across the SB of Ukraine, as well as detecting and stopping cases of their illegal movement;
3. protection of the SB of Ukraine under its authorities on rivers, lakes, and other water bodies to prevent illegal changes in the passage of its line, to ensure compliance with the SB regime and border regime;
- ...
10. the ability to introduce modern forms and methods to strengthen law and order, moral and psychological state, and discipline of personnel to ensure social and legal protection of service members and their families.

*Threats under the conditions of day-to-day activities:*

1. incomplete demarcation of the Ukrainian-Belarusian sector of the SB;
2. low level of well-being of the population in the border areas of Ukraine, which provokes illegal activities at the SB;
3. the spread of international crime, in particular in drug trafficking, human trafficking, illegal migration, and the proliferation of weapons of mass destruction;
- ...
10. imperfection of the regulatory framework in the field of BS.

The results of the expert assessment of the strengths and weaknesses of the internal environment, as well as opportunities and threats in the external environment that correlate with them in the context of day-to-day activities, can be assessed in Tables 4-7.

A 4-point verbal-numerical scale for assessing the strength of correlation relationships in the corresponding pairs of parameters was used: 0 - no relationship; 1 - weak relationship; 2 - medium relationship; 3 - strong relationship.

Table 4: Assessing the Relationships between Strengths and Opportunities

(Source: improved from Bratko et al. 2021)

Opportunities (i)	Strengths in Day-To-Day Activities (j)										$\Sigma j$	Importance of Opportunities $Y_j$	$\Sigma j \cdot Y_j$
	1	2	3	4	5	6	7	8	9	10			
1	1	3	1	1	0	0	1	2	3	3	15	0.152	2.28
2	3	0	1	1	1	1	1	2	1	2	13	0.140	1.82
...	...	...	...	...	...	...	...	...	...	...	...	...	...
10	0	0	0	0	0	3	3	0	0	0	6	0.036	0.21
$\Sigma i$	15	13	11	10	15	18	17	13	11	13	$\Sigma 279$	1.000	14.34
Importance of Strengths $Y_i$	0.092	0.130	0.087	0.083	0.076	0.072	0.110	0.109	0.090	0.141	1.000	-	-
$\Sigma i \cdot Y_i$	1.38	1.69	0.95	0.83	1.14	1.29	1.87	1.47	0.99	1.83	13.44	-	27.78

Table 5: Assessing the Relationships between Strengths and Threats

(Source: improved from Bratko et al. 2021)

Threats (i)	Strengths in Day-To-Day Activities (j)										$\Sigma j$	Importance of Threats $Y_j$	$\Sigma j \cdot Y_j$
	1	2	3	4	5	6	7	8	9	10			
1	1	3	0	1	0	0	0	1	1	3	10	0.141	1.41
2	3	3	1	2	1	2	1	2	2	2	19	0.132	2.50
...	...	...	...	...	...	...	...	...	...	...	...	...	...
10	3	3	0	0	1	1	1	1	1	3	14	0.145	2.03
$\Sigma i$	20	23	12	15	16	14	9	10	9	24	$\Sigma 304$	1.000	15.21
Importance of Strengths $Y_i$	0.092	0.130	0.087	0.083	0.076	0.072	0.110	0.109	0.090	0.141	1.000	-	-
$\Sigma i \cdot Y_i$	1.84	2.99	1.04	1.25	1.22	1.00	0.99	1.09	0.81	3.38	15.61	-	30.82

Table 6: Assessing the Relationships between Weaknesses and Opportunities

(Source: improved from Bratko et al. 2021)

Opportunities	Weaknesses in Day-To-Day Activities (j)										$\Sigma j$	Importance of Opportunities $Y_j$	$\Sigma j \cdot Y_j$
	1	2	3	4	5	6	7	8	9	10			
1	1	3	2	0	2	3	3	3	3	3	23	0.152	3.50
2	3	2	1	0	2	3	1	2	1	0	15	0.140	2.10
...	...	...	...	...	...	...	...	...	...	...	...	...	...
10	0	1	3	1	1	1	1	3	1	2	14	0.036	0.50
$\Sigma i$	11	19	22	13	23	24	24	27	21	15	$\Sigma 398$	1.000	20.12
Importance of Weaknesses $Y_i$	0.060	0.161	0.161	0.092	0.060	0.103	0.038	0.127	0.034	0.160	1.000	-	-
$\Sigma i \cdot Y_i$	0.66	3.06	3.54	1.20	1.38	2.47	0.91	3.42	0.71	2.40	19.76	-	39.88

Table 7: Assessing the Relationships between Weaknesses and Threats

(Source: improved from Bratko et al. 2021)

Threats	Weaknesses in Day-To-Day Activities (i)										$\Sigma j$	Importance of Threats $Y_j$	$\Sigma j \cdot Y_j$
	1	2	3	4	5	6	7	8	9	10			
1	3	2	0	0	2	3	0	1	0	3	14	0.141	1.97
2	1	3	1	1	3	3	1	1	1	3	18	0.132	2.38
...	...	...	...	...	...	...	...	...	...	...	...	...	...
10	1	1	1	0	0	1	2	2	3	1	12	0.145	1.74
$\Sigma i$	19	22	13	12	22	28	14	16	17	18	$\Sigma 362$	1.000	18.62
Importance of Weaknesses $Y_i$	0.060	0.161	0.161	0.092	0.060	0.103	0.038	0.127	0.034	0.160	1.000	-	-
$\Sigma i \cdot Y_i$	1.14	3.54	2.09	1.10	1.32	2.88	0.53	2.03	0.58	2.88	18.10	-	36.73

The analysis allows us to fill in columns 7-10 of Table 4.

Further application of the SWOT analysis methodology allows us to formulate strategies that can take place for a particular sector of the SB (columns 11-14 of Table 3).

The obtained data on  $\Sigma i \cdot Y_i \equiv \Sigma j \cdot Y_j$  for partial strategies and individual conditions  $j$  are summarized in a single matrix, which allows comparing them and selecting rational partial strategies by the highest values of the corresponding quantitative indicators. An example of such a matrix is shown in Table 8.

Table 8: Matrix for Determining Partial Strategies for the Development of the Ukrainian BSE (Based on Expert Assessment of Strengths, Weaknesses, Opportunities, and Threats) (Source: improved from Bratko et al. 2021)

Relationship	Options for Organizing Activities					
	Conditions of Day-To-Day Activities		Conditions of a Complicated Situation		Conditions of Law	
	Priority	$\Sigma i \cdot Y_i \equiv \Sigma j \cdot Y_j$	Priority	$\Sigma i \cdot Y_i \equiv \Sigma j \cdot Y_j$	Priority	$\Sigma i \cdot Y_i \equiv \Sigma j \cdot Y_j$
Strengths - Opportunities (max-max)	4	27.78	3	37.63	3	43.44
Strengths - Threats (max-min)	3	30.82	4	30.41	2	44.45
Weaknesses - Opportunities (min-max)	1	39.88	1	42.53	1	47.35
Weaknesses - Threats (min-min)	2	36.73	2	38.32	4	41.77

As a result of the analysis of the data presented in Table 8, we determine the appropriate partial strategies for different options for organizing activities in a particular sector of the SB. In the illustrative example, these are partial min-max strategies. Based on these three strategies, the content of the general strategy for the development of the BSE (a set of strategic goals, objectives, and measures) is formed, which will ensure an acceptable security level for each particular sector of the SB with the adjacent state. At the same time, the aspects with strong (marked as "3") and medium (marked as "2") correlation relationships in the respective pairs of parameters are taken into account first (see Tables 4-7).

## CONCLUSION

The research conducted in this paper is a substantiation of the method for strategic management of the development of the Ukrainian BSE.

When developing the scientific and methodological instrumentation for strategic management of the development of the BSE of Ukraine, the authors formalized the relevant task. They described the method of its solution, evaluated the theoretical foundations of the proposed method, described the technology for solving the problem under research, and provided an illustrative example of the application of the proposed method. Based on the results of the analysis and the illustrative example, it can be concluded that the proposed method for strategic management of the development of Ukraine's BSE is one of the possible effective mechanisms in the activities of the subjects ensuring Ukraine's BS.

Prospects for further research on the topic under study are seen in testing the method in the context of a complicated situation and under martial law, as well as in the full formalization of the proposed method.



## CRediT AUTHOR STATEMENT

**Oleh Borovyk:** Conceptualization, methodology, software.

**Dmytro Kupriienko:** Data curation, writing - original draft preparation.

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**Oleksandr Andrushko:** Supervision, formal analysis.

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# POLITICAL PARTY PREFERENCES ON LOCAL ELECTION IN INDONESIA: HOW DOES RATIONAL CHOICE INSTITUTIONALISM WORK IN CANDIDATE SELECTION?

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**Abstract:** *The rational choice institutionalism approach provides insight into political parties' personal and institutional preferences in determining their strategic and technical-operational decisions. Institutional and personal preferences in political parties have shaped rational choices in selecting regional head candidates. Political party preferences provide rational choices based on the values they believe have shaped political responses to individuals and institutions. This study will examine selecting mayor and deputy mayor candidates in regional head elections. This study maps the preferences of political parties in determining their rational choices. The qualitative research method involves field interviews, online media analysis, and the examination of social media data. The data processing includes content analysis conducted using NVivo 12 Plus software. The study results indicate that political parties as political institutions are very centralized and pragmatic in determining the results of selecting regional head candidates. There are variations in the types of preferences of political parties in the candidates, namely systemic, practical, and normative preferences. Internal regulations support systemic preferences, practical preferences are determined by party procedures, directors, and selection criteria, and normative preferences are based on political parties' ideology, values, and goals. Normative preferences will only become mainstream in the candidacy of political parties if party ideology strengthens and the candidate selection mechanism is transformed into a democracy-based selection.*

**Keywords:** *Political Parties; Regional Head Elections; Political Pragmatism; Rational Choices Institutionalism*

## INTRODUCTION

Democracy exists as an attempt to end the domination of power by one person or group of people over the rest. Democracy encourages the establishment of a representative government. The idea of political representation then becomes the core of the democratic political system. The concept of representation is abstract, and its meaning is still debated in philosophy and political science. The difference in meaning is substantive and formulates several competing ways to apply the term representation. Legislative institutions are considered a unique representation vessel. Just as a representative portrait looks like a servant or caregiver, a parliamentary institution is seen as a representative if it accurately reflects the composition of community representation. In the words of John Adams (Norris and Lovenduski 1993), the legislature "must be a true portrait, in miniature, of people in general, as they should think, feel, reason and act". In political science, the concept of political representation has focused on three main questions: what is representation? How and when does it occur? Furthermore, who is represented and represented? (Dovi 2002; Rehfeld 2006; Saward 2006). However, the fourth question centered on all these theoretical issues is, what determines

access to political office? Given that regulatory barriers prevent every citizen from nominating themselves as a political candidate, a situation often referred to as a domination metaphor, the issue of who is elected as a candidate and who is not holds significant implications for all aspects and subsequent phases of political representation.

A typical metaphor for this political representation is the supply and demand model in candidate selection (Lovenduski 2016; Norris 2006). This concept presupposes that the number of workers, farmers, and women elected is the combined result of (1) the qualifications of candidates as a group to run for political office and (2) the desire or willingness of the elite to elect candidates (Norris, Vallance, and Lovenduski 1992; Norris and Lovenduski 1993). The main difficulty of this model is its inability to explain why women are numerically underrepresented in each country. From a gender perspective, it is difficult to explain the extent of the pattern of representation if women's access, like men's access, is simply a matter of supply and demand. At the same time, global averages cover substantial cross-country variation in achievement: Rwanda, Cuba, and Bolivia have more women than men in their national parliaments. Meanwhile, countries such as Papua New Guinea and Vanuatu do not have women parliamentarians (Inter-Parliamentary Union 2020).

This difference shows that the dynamics of supply and demand can be distorted positively and negatively by structural conditions and the emergence of new and sometimes unexpected political opportunities (Krook 2010). In the view of Pippa Norris and Lovenduski, Yorkshire residents who are miners and dockworkers understand and express the problems of the working class, while those who are women understand and articulate women's concerns (Norris and Lovenduski 1993). Such is the case with a British Candidate Study (BCS) search to answer why middle-class white men are more likely to be selected as candidates by political parties than women and men of other skin (Lovenduski 2016).

Based on the similarities and variations, this research will examine and finally elaborate on the critique: How do we conceptualize the dynamics of candidate selection? This research focuses on the rational choice institutionalism model (North 1990; Ostrom 1991; Peters 2019). Candidate selection is the stage where political parties determine who is a suitable figure to be supported to represent party institutions in the general election ballot for elective positions. Candidate selection is one of the strategic functions of political parties in democracy (Hazan and Rahat 2006; Rahat 2009). From a comparative perspective, candidate selection is a strategic step in recruiting political elites. The processes are also full of secrecy and carried out in closed places.

The stages of candidate selection developed by Norris (2006), namely requirements, registration, and selection based on supply and demand, and all internal democratic stages schemes, can be reduced to answer the question: who meets the requirements? Who nominates, and who is nominated? Efforts to build internal democratization in selecting candidates based on supply and demand do not see that the selection process is influenced by individual and group preferences, forming actions with the rational choice institution model (Krook 2010).

It is essential to recognize that candidate selection is not only driven by supply and demand, but this study also explores the preferences of political parties in choosing regional head candidates from the standpoint of rational-choice institutionalism (Norris 2006). First, in choosing regional head candidates, this study identifies the preferences of the party's personal and institutional elites at the subnational (regional) and national levels. Second, this research maps patterns and builds models from recent developments, particularly the dominant political preferences of local and national elites

of political parties. When deciding on regional head candidates supported by political parties, candidate selection in political parties has developed rational choice institutionalism by considering personal and institutional preferences (Jubba et al. 2022; Prianto et al. 2022).

## RESEARCH METHODS

This research focuses on the election of the mayor and deputy mayor in Makassar City. This study was conducted with research on managing political parties at the regional level in South Sulawesi. This was carried out in 2020 in 12 districts/cities identified as participating in the simultaneous local elections, featuring Makassar City's election of the mayor and deputy mayor. The objects of this research are party leaders and political elites at the provincial level. This study seeks to determine political parties' personal and institutional preferences in selecting candidates. The political parties analyzed are divided into two groups, namely nationalist parties and religious parties. Political parties classified as nationalist parties are PDIP, PSI, and Democrats. Political parties classified as religious are PKB, PAN, Gelora, and PKS.

This study employs qualitative methodology. This study uses a qualitative content analysis approach to analyze texts from various research documents, such as field interviews, news, and public opinion in the mass media and social media. The data obtained is then transferred to an analysis tool called NVivo 12 Plus. The data is then visualized and analyzed.

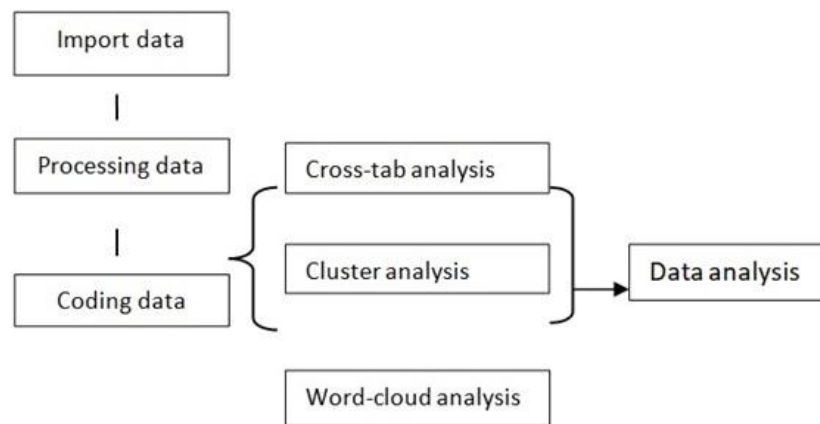


Figure 1: Data Collection and Analysis with NVivo 12 Plus (Source: Authors' depiction)



## RESULTS AND DISCUSSION

### Political Party Preference in Candidate Selection in the 2020 Makassar Mayor Election

The institutional preferences of political parties form rational choices in selecting regional head candidates. Political party preferences are based on values believed in providing a political response to individuals. Political actions embodied in political values believed by the party elite are a decisive factor in directing them to respond to the political situation faced by political parties. The forms of political action given are not the same as one another. This political action depends on what values exist in the institution, which then shapes rational choices.

**Table 1: Candidate Profiles Based on Work Experience (Source: General Election Commissions 2020)**

No.	Professional Background	Candidates
1	Mayor Incumbent, Architect, Woman Politicians	Moh. Ramdhan Pomanto and Fatmawati Rusdi
2	Businessman, Senior Bureaucrats	Munafri Arifuddin and Abd. Rahman Bando
3	Vice-Mayor Incumbent, Humanitarian Activist, Young Entrepreneurs	Syamsu Rizal and Fadli Ananda
4	Senior Bureaucrats, Young Politician	Irman Yasin Limpo and Andi Muh. Zunnun Armin

In Table 1, the 2020 Makassar mayoral election brought together four couples of candidates. They are all nominated by a coalition of political parties, and none use individual (non-political party) pathways.

Those who contested included Mohammad Ramdhan Pomanto-Fatmawati Rusdi with sequence number 1. Mohammad Ramdhan Pomanto, or Danny Pomanto, was a candidate who served as mayor of Makassar from 2013 to 2018. He returned as an incumbent candidate in 2018 but was disqualified in the individual support line: election 2020, Moh. Ramdhan Pomanto "Danny" is taking part in the Makassar City Election again as a candidate for mayor. Meanwhile, his deputy is Fatmawati Rusdi, wife of Rusdi Masse, Chair of the Regional Leadership Council (DPW) of the Nasdem Party, and the former Regent of Sidenreng Rappang for two terms. Fatmawati Rusdi has also been a central parliament (DPR) member from the PPP faction for the 2014-2019 period. The Gerindra, NasDem, PBB, and Geloraparty powered the number 1 candidate pair.

Sequence number 2 is Munafri Arifuddin-Abdul Rahman Bando. Munafri Arifudin is a family relative of former vice president Jusuf Kalla, and he is also the son-in-law of Aksa Mahmud, owner of the Bosowa Group. In the 2018 Makassar election, Munafri ran as the sole mayoral candidate and was promoted by ten parties, but his vote was lost to "the blank box". Meanwhile, his deputy, Abdul Rahman Bando, is a senior bureaucrat in the Makassar City government. At the end of his career, he served as Head of the Makassar City Education Agency. PPP, Perindo, Demokrat, and PSI powered candidates number 2. Then, the candidate pairs Syamsu Rizal-Fadli Ananda with Sequence number 3; Syamsu Rizal was a former deputy mayor of Makassar from 2013 to 2018. Syamsu Rizal has also been a member of the Makassar City Representative House for the 2004-2009 period, and he is also trusted to be the General Chair of the Indonesian Red Cross Makassar City. His deputy, Fadli Ananda, is an obstetrician and owner of the Ananda Mother and Child Hospital (RSIA) in Makassar City. This candidate is powered by political parties: PDIP, PKB, Hanura Party, and Garuda Party.

The last candidate pair is Irman Yasin Limpo-Andi Muhammad Zunnun Armin NH with sequence number 4. Irman Yasin Limpo is the younger brother of the Minister of Agriculture, namely Syahrul Yasin Limpo, former Governor of South Sulawesi. Irman Yasin Limpo is a senior bureaucrat in the South Sulawesi Provincial Government. He has been the lead in the Regional Education and Training Agency, the Regional Research and Development Agency, the Regional Investment Coordinating Board, the Governor's Expert Staff for Development Economics and Finance, the Head of the Economic Sub-Sector, and the Head of the South Sulawesi Provincial Education Office. Meanwhile, his deputy Andi Muhammad Zunnun, the son of senior Golkar politician Nurdin Halid, had been a member of the regional parliament of South Sulawesi Province even though he was not yet 30 years old. Sequence number 4 was carried out by three political parties: Golkar, PKS, Berkarya, PAN, and PKPI.

Based on the candidates' backgrounds, political parties responded to them. Political parties personally and institutionally have agendas connected to the momentum of regional head elections.

The relationship pattern between party elites and candidates is often mutual (mutually beneficial). Political parties create formal procedures, but in practice, candidate selection also opens informal procedures to bring political parties closer to their chosen regional head candidate. The preferences of political parties differ, although the pattern has pragmatic similarities. Based on the results of the candidate selection, the pairs of candidates for mayor and deputy mayor of Makassar 2020 promoted by political parties are as follows:

**Table 2: Political Party Support for Candidates (Source: General Election Commissions 2020)**

No.	Political Parties	Candidate Pairs	Number of Member Seat
1	Gerindra, PBB, Gelora	Moh. Ramdhan Pomanto and Fatmawati Rusdi Nasdem,	13
2	Demokrat, PPP, Perindo, PSI	Munafri Arifuddin and Abd. Rahman Bando	10
3	PDIP, PKB, Hanura, Garuda	Syamsul Rizal and Fadli Ananda	9
4	Golkar, PKS, PAN, Berkarya, PKPI	Irman Yasin Limpo and Andi Zunnun Nurdin Halid	15

The Nasdem, Gerindra, PBB, and Gelora coalitions powered Fatmawati Rusdi and Moh Rahmadhan Pomato. The Gelora Party became part of the supporting party after the party elite personally approached this candidate pair. The primary preference for Gelora as a new party is to be part of the winning team and subsequently get privileges to qualify to participate in the election. Munafri Arifuddin - Abd. Rahman Bando is powered by a coalition of Democrats, PPP, Perindo, and PSI. The Democrat Party abandoned its support for the incumbent mayor and chose the running mate in the previous 2018 Pilkada. The Democrats had disobeyed the post-electoral agreement with the incumbent mayor, which later became the reason for leaving support. PSI is a new political party that is disappointed with the incumbent mayor. The pair of candidates, Syamsul Rizal - Fadli Ananda, is the partner of the incumbent Deputy Mayor, supported by PDIP, PKB, Hanura, and Garuda. PDIP was supported after one of these pairs officially had a membership card as a party cadre. PKB supports the couple with social and humanitarian backgrounds and the representative who has

biological ancestry from the elite Nahdlatul Ulama. The candidate pair Irman Yasin L - Andi Zunnun N. H is the marriage of two traditional political clans in South Sulawesi—the rivalry of the Yasin Limpo Vs. Nurdin Halid clan for years in a tactical coalition and has the support of Golkar, PAN, PKS, Berkarya, and PKPI.

PAN, traditionally a supporter of the Yasin Limpo clan and Golkar, pushed for Nurdin Halid's biological successor. PKS became a party that showed a pragmatic character when choosing this pair after providing support. Meanwhile, in Syamsul Rizal - Fadli Ananda, there is an informal selection mechanism model that significantly colors the transfer of support the Party Sharia Council decided at the central level.

Preferences arise from partial and holistic considerations of the relevant reasons for action. The actor's preferences will determine how he acts according to his beliefs. These preferences can be why he should act, face, or avoid the consequences of his actions. The term preference here concerns tendencies, interests, and desires that drive individuals' choices. Preference expresses the relationship between the actor's desires, tendencies, and beliefs (Matei and Dogaru 2011; Ruman 2015). Preferences in selecting regional head candidates will be seen through systemic, practical, and normative indicators.

## Systemic Preference

Systemic preferences in candidate selection in political parties include factors, settings, and interactions. Systemic characteristics include organizations and laws formally formulating or structured political steps (Krook 2010). Systemic institutionalization is the formalization of a system that includes law and political party institutions. Systemic preferences describe how political parties determine regional head candidates by referring to the regeneration system, cadre recruitment rules, and systems and procedures.

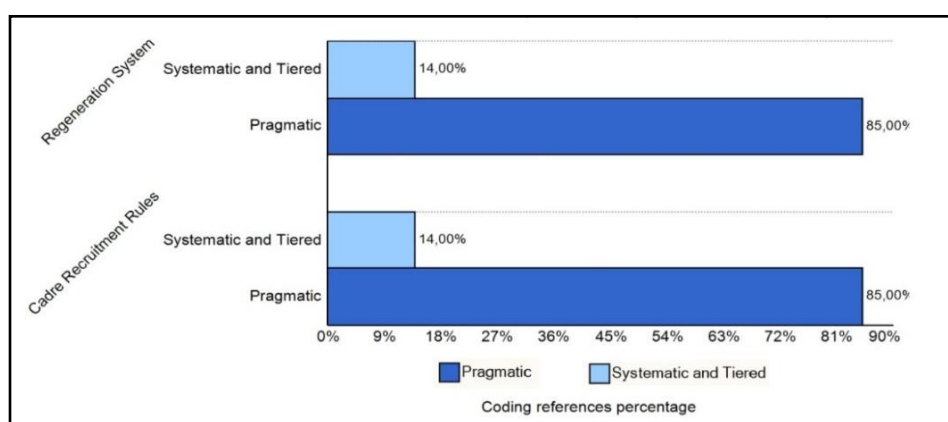


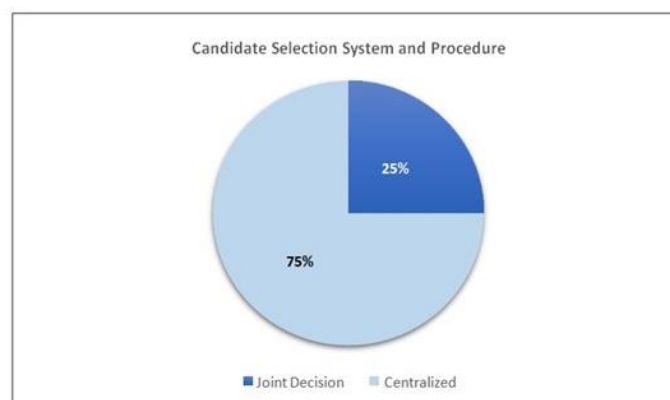
Figure 2: Recruitment Rules and Regeneration System of Political Party in Indonesia  
(Source: Authors' depiction)

Figure 2 shows the pragmatism of political parties regarding cadre recruitment rules and the regeneration system of political parties in Indonesia. The regeneration system and cadre recruitment rule both got a score of 85%. This indicates that political parties in Indonesia recruiting cadres are still very pragmatic. There is only 14% value for political parties that carry out the recruitment rules in a

systematic and tiered manner. Six political parties are still pragmatic in recruiting party cadres, namely PDIP, Demokrat, PAN, PKB, PSI, and the Gelora Party.

Meanwhile, the only political party still conducting systematic and tiered recruitment is the PKS party. Many factors influencing political parties are still pragmatic in recruiting party members, such as proximity, kinship, and financing. Pragmatism in the regeneration system gives birth to party governance that certain oligarchic elites will only control, making the practice of internal democratization more complicated (Alexandre-Collier 2016; Budi 2020; Croissant and Chambers 2010; Norris 2006; Pennings and Hazan 2001).

Management of political party membership is a part that significantly affects the quality of political party members. Suppose the management of party membership runs well and can maximize the functioning of political parties. In that case, the problems of political representation can be overcome and contribute to improving the quality of democracy. In addition, strengthening political party membership can avoid false personal loyalty, affecting the quality of political parties. To avoid the trap of personal loyalty, the party needs to develop an internal regeneration management system. So, political parties in Indonesia need to manage party membership in a professional, tiered, and systematic manner. Weak political recruitment will make the party short of supply of cadres, making it vulnerable to exploitation by opportunists and political adventurers.



**Figure 3: Candidate Selection System and Produce of Political Party in Indonesia**  
(Source: Authors' depiction)

Figure 3 shows that 75% of party decisions in Indonesia regarding selecting regional head candidates are still determined by the central management or the party's general chairman. The candidate selection procedure is generally carried out starting from the selection of regional head candidates at the local level (DPC) and then submitted to the regional level (DPW). However, when the screening is complete and the recommendations are submitted to the central level (DPP), the final decision is in the hands of the central leadership of the political party. Meanwhile, only 25% of political parties make decisions based on mutual agreement. This is due to the lack of political parties that determine candidates based on joint decisions from the local to the main level, so it still seems centralized. The centralization of decision-making by political parties will present challenges for many parties, especially in selecting leadership candidates (Müller 2000; Ruanio 2002). The autonomy and independence of the branches of political parties to determine the candidates for regional heads who

are promoted in the regional head election contestations are fading, and 75% of the decisions are now entirely in the hands of the national elite. Centralization of decision-making in candidate selection by political parties in Indonesia narrows systemic preferences in the institutionalization of rational choices because centralization does not reflect democratic principles.

**Table 3: Candidate Selection System for Political Parties (Source: Authors' depiction)**

Political Parties	Candidate Selection Mechanism
PDIP	- Chairman's Decision - Formal selection: <i>Tiered selection</i>
PSI	- Chairman's Decision - Formal selection: <i>Convention and presentation of vision and mission at the central level (DPP)</i>
Demokrat	- Chairman's Decision - Formal selection: <i>Fit and proper test involving external parties</i>
PKB	- Chairman's Decision - Formal selection: <i>Focus Group Discussion, mapping the capacity of candidates, and involving external parties</i>
PAN	- Chairman's Decision - Formal selection: <i>Internal screening team</i>
Gelora	- Chairman's Decision - Informal selection: <i>Personal approach to candidates</i>
PKS	- The decision rests with the Party's Sharia Council - Formal and informal selection: <i>Internal screening, formal at the local level, non-formal at the national level</i>

The formal selection system of political parties in searching for regional head candidates is very diverse. Some parties that carried out the formal selection included PDIP, PSI, Demokrat, PKB, and PAN. The party carries out the formal selection in various ways, such as presenting the candidate's vision and mission, implementing appropriate and proper tests, focus group discussions on mapping the capacity of candidates, and forming a selection team. However, the results of the formal selection will be determined by the general chairman of the political party, so the centralization of party decision-making is difficult to avoid. Meanwhile, two parties, namely PKS and Gelora, carry out the selection informally. Non-formal practices in candidate selection will be easily controlled by elite party groups and make decision-making more centralized (Croissant and Chambers 2010). Although it appears that most political parties in Indonesia conduct formal selections, the decision on the candidate selection results is still determined by the party's general chairman, so centralization in the leadership of political parties is unavoidable. So, there is no guarantee that the formal selection system will result in democratic decisions for political parties in Indonesia.

## Practical Preferences

The institutionalization of practical preferences includes recruitment procedures and party criteria in selecting regional head candidates to be promoted in political contestations. Regarding political recruitment, the elite's formal and informal practices include the procedures and criteria used

by parties to select the candidates to be promoted by the party. They can thus be viewed as practical institutions that shape perceptions of who a “qualified” or “wanted” candidate is, a set of beliefs that can be differentiated by gender to varying degrees. Informal criteria are more about praxis and consist of various qualifications related to background, experience, and skills (Rahat and Hazan 2001). The criteria for systemic institutionalization can be seen from the pragmatism or ideological level of political party institutions in selecting candidates.

Figure 4, political practice in candidate selection, shows that political parties are still pragmatic in decision-making by getting a score of 68%. Decision-making based on party ideology gets a lower score of 32%. The pragmatism of political parties in selecting candidates is brutal to avoid due to many factors, and each political party has reasons why decision-making tends to be pragmatic.

The PDIP Party, a nationalist party, stated that ideological similarities and the financing ability of candidates influenced pragmatism in candidate selection. Then, the PSI Party, a nationalist party, reasoned that pragmatism occurred because of the parties’ similarities, issues, and prospects.

Another nationalist party is the Demokrat, which claims that historical relationships with candidates cause pragmatism in decision-making.

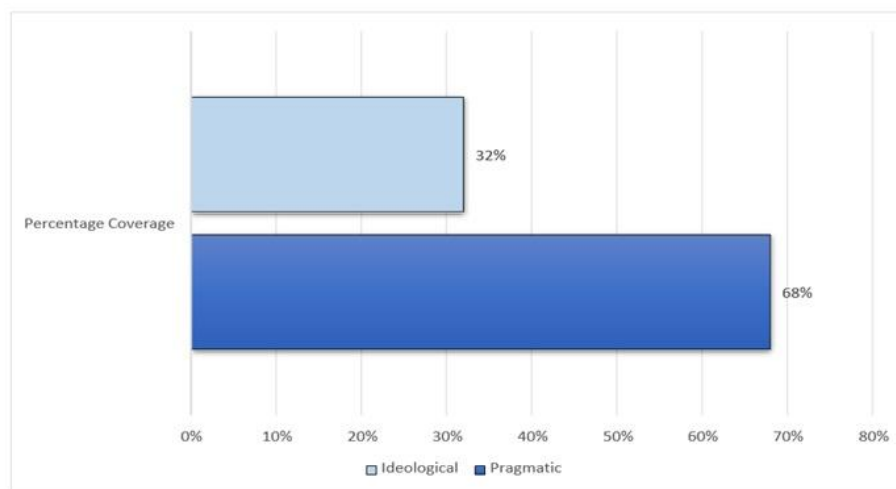


Figure 4: Trends of Political Parties in Selecting Candidates for Regional Heads in Indonesia  
(Source: Authors’ depiction)

Nationalist-religious parties have other factors in the pragmatism of candidate selection, including the PAN Party, which states that pragmatism occurs because of the character, cadre, financing requirements, and proximity to candidate candidates. Meanwhile, the PKB Party has the reason that decision-making on candidate selection depends on the adequacy requirements of the supporting party, the readiness of financing, and proximity to Nahdlatul Ulama. Finally, from a religious party, the Gelora Party is quite pragmatic in looking at the candidates’ capacity profiles. In contrast, the PKS party decides based on character factors, financial strength, and internal assessments.

Financing makes political parties pragmatic in the candidate selection process, which is challenging to avoid because managing political parties in Indonesia requires very high costs. Party

organizations that are national and limited sources of party financing from the state and a high-cost general election system make parties seek funding from closed mechanisms. The “dark room” of party financing has become the basis of pragmatism and capitalizing on the party elite to gain profits. A study from Reuters (2015) found that political parties in Indonesia and Southeast Asia have become highly dependent on financial support from conglomerates with significant personal wealth (Reuter 2015). Even in the latest developments, some billionaires who are active political sponsors decide to appear as leaders of political parties by adopting an oligarchic style.

A combination of political and economic power within the same individual or a small elite group gains formal political legitimacy. Conflicts of interest are brutal to avoid, between the demands of public office and their interests as politicians who also run big business empires.

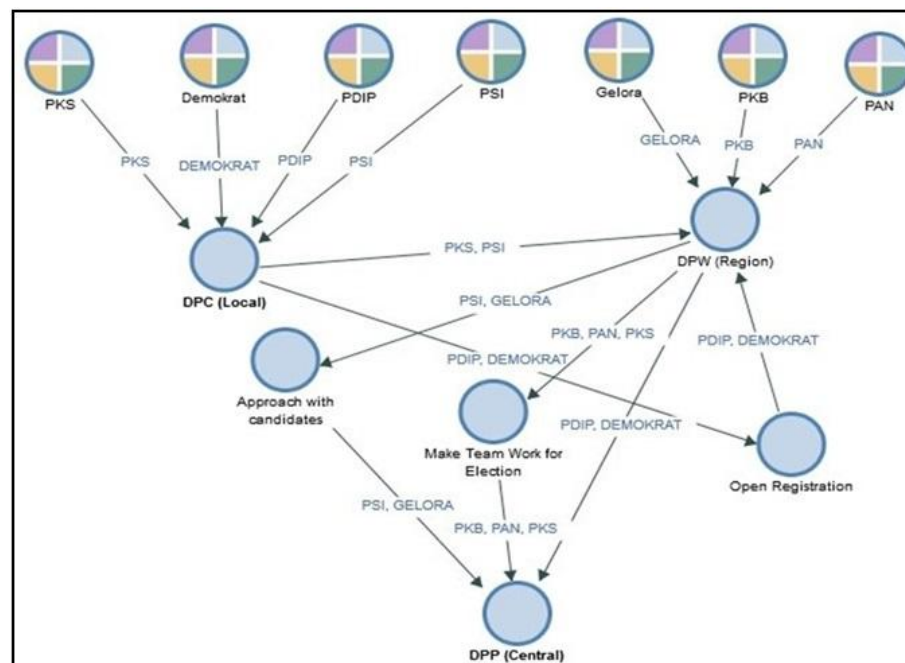


Figure 5: Technical Implementation of Candidate Selection Rules in Indonesia  
(Source: Authors' depiction)

Based on Figure 5, political parties started in two directions: 60% started from the DPC level, and 40% started at the DPW level. Then, there are three crucial stages of all technical implementation of candidate selection in Indonesia, including opening registration/screening of prospective candidates, approaching prospective candidates, and Forming a Selection and Selection Team. However, what is interesting is that from all these stages, the decision is still left to the DPP, which the general chairman of the political party then determines. The implementation of candidate selection has been regulated by party regulations, including Statutes and bylaws (AD/ART), Organizational Guidelines, Implementation Guidelines/Technical Instructions, and external regulations such as the Law on Regional Head Elections and revisions. Its revision is Law No. 8/2015 and Law No. 10/2016. However, this regulation also legitimizes the centralization of political parties in selecting regional head candidates (Budi 2020; Hidayaturrahman, Ngarawula, and Sadhana 2022).



The technical implementation of candidate selection rules by political parties in Indonesia shows that political parties tend to obey the agreed-upon rules of the game. However, the final decision is still in the hands of the general chairman. Centralized decisions often do not represent recommendations from party officials at the lower levels, even though party administrators better understand the needs of a candidate figure at the local level. This becomes a dilemma because regional leader candidates in political parties are decided centrally (Budi 2020; Reuter 2015). The hierarchical relationship between parties in Indonesia is still pragmatic and strengthens the center's domination over the regions. As a result, the regions' political parties depend on the center. The dependence symptoms will negatively influence the party's internal situation and the aspirations and political interests of party constituents in the regions. This dependence will also impact the nomination of regional heads, where the candidates who appear often represent the interests of the center of the party hierarchy rather than the aspirations and interests of constituents in the regions.

The management of political parties with a dominant tendency in financing makes the owners of political parties treat the administrators and cadres as industrial relations (Crouch 2004) and call it a political firm in a post-democratic situation. Post-democracy is described as a condition. Where democratic institutions still exist and operate formally but ultimately lead to the legitimacy and interests of the political-economic elite. Political parties are no longer a basis for struggle but are transformed into tools for the interests of party owners. Political parties are managed exclusively and centrally, where political donors and investors control the "main door" of decision-making. Money talks are the primary value, so they side with materially and financially strong figures in selecting regional head candidates.

The pragmatism of political parties in selecting regional head candidates in Indonesia often forces no democratic competition in the contestation. In the context of rational choice theory, the actions of these elite actors are rational. The actors in political parties have conscious considerations. On the one hand, they are aware of their interests, and on the other, they are also aware of their potential. This awareness gave birth to a unique pattern of relations between the political elite and the promoted candidates for the regional head.

## **Normative Preference**

Formal and informal principles ultimately establish values to guide the means and ends of political life in normative preferences. As a result, they can be considered normative institutions that influence attitudes toward representation and equality in the context of choosing candidates. Normatively, all political actors who wish to run as candidates must obtain a recommendation from a political party.

The competition for political party recommendations has grown very intense between political elites who want to run for office. Political parties are essential actors in the local political system in South Sulawesi. This case is due to the formal regulation of the General Election Commission Regulation (PKPU) regarding candidacy, which requires pairs of candidates to support political parties or a combination of political parties. The primary requirements, as stated in PKPU No. 1 of 2020 Article 39, paragraphs 1 and 2, are the registration of candidate pairs, the recommendation or approval of political parties, or coalitions of political parties at the central level. Political elites wanting to run for office have entered a dynamic competition for political party recommendations.



The birth of a political dowry that is required for every candidate who wants party support is a sign that the authority of political parties is still very influential and vital in each candidate's selection in general elections at the local and national levels.

In addition to the requirements and regulations of PKPU No. 1 of 2020, which adds to the strength of political party intervention in selecting candidates for the regional head candidates. There are also individual candidates in the regional elections, namely the Constitutional Court's decision no. 5/PUU-V/2007, individual candidates are considered an alternative that provides various choices for political actors (candidates in the regional head election) not to be intervened by political parties, of course, with several advantages possessed by candidates. However, this individual route is not very attractive because the requirements are heavy, and the process is lengthy. They are making political parties more confident with their support for candidates who want to fight in local political contestations in the regional head election. Political party intervention becomes necessary because election regulations reach each party's policies when selecting candidates for regional head elections, including in South Sulawesi and Indonesia. The importance of the position of political parties in local political contestations requires this institution to have ideas that are formally enshrined in the constitution, such as the vision and platform of the party's struggle, as well as strategies and tactics for manifesting party ideology in candidate selection.

The data above shows that political parties have strategies to embody party ideology in selecting regional head candidates in Indonesia. Some of the political party strategies include forming a plural winning team, building a winning team from millennials, strengthening the team to win political contests, building a team with visionary ideas, forming an internal team that works to win candidates, building an inclusive winning team, and be part of a winning team. Normatively, political parties have implemented technical candidate selection, as shown in Figure 6. However, based on the technique of realizing party ideology in candidate selection, political parties still prioritize pragmatic victory over democratic selection.

The political party elites' apathy regarding the necessity of institutionalizing political regeneration for the development of parties and the democratic system has also been significantly influenced by the growing political pragmatism. In this context, political pragmatism is the tendency of party members and elites to choose shortcuts or instants in the struggle for political office, both within the party and in public positions in external political parties. Suppose politicians are disappointed when not nominated for positions in the government's executive and legislative branches or switch parties for various other reasons. In that case, it is not surprising that the phenomenon of party switching from politicians emerges. How political party preferences build rational choice institutions.

Indonesia started using a direct regional head election system in 2005. Since then, political parties have had the opportunity to place their candidates as pairs of regional heads at the provincial level in 33 provinces and regional heads in regencies and cities in 509 regencies/cities throughout Indonesia. There are exceptions for the Province of the Special Region of Yogyakarta and districts or cities in the Special Capital Region of Jakarta.

In other regions, if the requirements for winning seats and the required number of votes are satisfied, political parties may nominate their representatives to run as a pair of regional head candidates without forming a coalition with other parties.

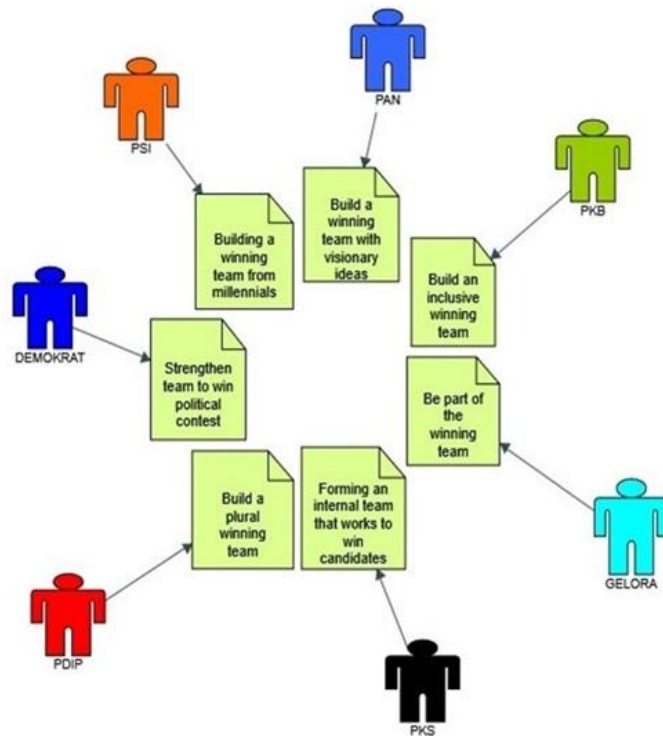


Figure 6: Strategies and Tactics for Embodiment of Party Ideology in Candidate Selection  
(Source: Authors' depiction)



Figure 7: Keywords Political Party Preferences in Selecting Regional Head Candidates  
(Source: Authors' depiction)

Based on the keywords that emerged about the preferences of political parties in candidate selection, the pragmatism approach became the dominant behavior (Figure 7). Pragmatism is constructed both formally and informally. The existence of internal regulations of political parties further legitimizes this pragmatism. Political pragmatism is the dominant attitude to adjust to the agenda and interests of political elites and political party institutions.

Operationally, rational choice institutionalism will be applied to three institutional role models for choosing regional head candidates in political parties: principal-agent, game-theory, and rule-based. This will be done from the perspective of political preferences.

### Principal Agent Model

The principal-agent model pays attention to the relationship between leaders (principals) and followers (agents) (Putra and Sanusi 2019). In selecting regional head candidates, those who act as principals are political party leaders, and those who act as agents are regional head candidates. The relationship between the principal agent or political party leader and the candidate for mayor is a rational relationship formed from an institutionalized process.

The rationality of the actor's actions occurs in all forms of relationships. The thing that underlies why agents only choose certain principals, or why candidates for regional heads only choose candidates promoted by certain political parties, cannot be separated from the agent's goal to maximize profits, namely achieving victory in elections.

Based on this rationality, the candidate for the regional head (agent) will choose to approach the principal (leader of a political party) who has attainable selection criteria, elite organizational and personal characteristics, party size and political clout, and ownership of party networks and resources, all of which enable this regional head candidate to achieve the electoral victory goal. Candidates for regional heads (agents) will leave or not prioritize support from small parties, which are expensive and do not have a complete winning organizational structure. Non-parliamentary seats will only be complementary to the candidate's support. When the leadership of a political party (principal) cannot guarantee the validity of the support and eligibility for electoral work, the regional head candidate (agent) chooses to leave the relationship.

### Game-Theory Model

Political actors will find balance and equality in relations through cooperation and competition. In aggregate, each actor will get incentives as an achievement of interests, and *vice versa*; actors who do not get benefits (disincentives) will move to a competitive relationship pattern. Political actors can build new political identities to gain incentives and renew identities to pursue larger incentive schemes. Control of the playing field is the key to how political actors can achieve their goals.

A candidate can create a new political identity in the regional head selection dynamics. This was only done to gain access to and control the political party support system. When support legitimacy cannot be established, the candidate will look for new support under a different political guise. Party leaders and candidates share an equal relationship in this role. Candidates are no longer under the principal control of party leaders as agents. Everybody works towards their individual goals and interests.

## Rule-Based Model

Instead of focusing on the actors' interests, this model emphasizes the institutional aspect. This model's nature of free-fight competition corrects the interaction pattern that previously relied on free market mechanisms. This model views institutions as a remedy for market failures in resource management (Ostrom 1991). All political parties have official written regulations governing the candidate selection process. Candidate-specific rules are also presented to prevent free-riders from taking advantage of any support needed by regional head candidates. The rules for party organization and the statutes and bylaws of political parties typically contain the mechanisms for choosing candidates. The candidate selection process's mechanism, parameters, and organizers (selectorate) are generally regulated. Every choice made by a political party's leadership is more legitimate when the selection criteria are specific and explicit and adherence to these criteria is unwavering. Political parties with a robust institutionalization in candidate selection are less likely to make decisions that their internal cadres oppose.

## Democratic Candidate Selection Model

Ideally, political parties recruiting candidates for regional heads should be carried out openly through preliminary elections involving party cadres, party administrators, and members of the party legislature as determinants. This is to avoid party oligarchy, irregularities, and money politics (Haris et al. 2016).

In political practice in Indonesia, the rules of the game and democratic procedures for political parties have been developed, but internal implementation distortions still occur. In the end, democratic procedures that are built will be subject to specific candidate qualifications based on experience, political connections, kinship, party services, financial resources, family "big name", and organizational skills (Hazan and Rahat 2006). The case of the regional head election in Makassar City became an exciting phenomenon in how bargaining the interests of the four networks of resource groups faced each other with variants of their respective interests. This makes the candidate selection process in the election prioritize closeness/relative relations and the personal popularity of the candidates. The formal candidate selection does not dominate decisions when determining and legalizing support.

In Figure 8, the selection mechanism is explained simply with a democratic and non-centralized system. The role of party elites at the local level is a determinant in selecting regional head candidates whom political parties will propose. The selection stage begins with the selection of candidate candidates conducted by party administrators at the local level and members of the regional parliament of the regency/city (DPRD). At this stage, political parties produce three pairs of candidates. Then, the screening stage, where the participants in the activities are still the same as the screening; what is different is that two pairs of candidates are left at this stage.

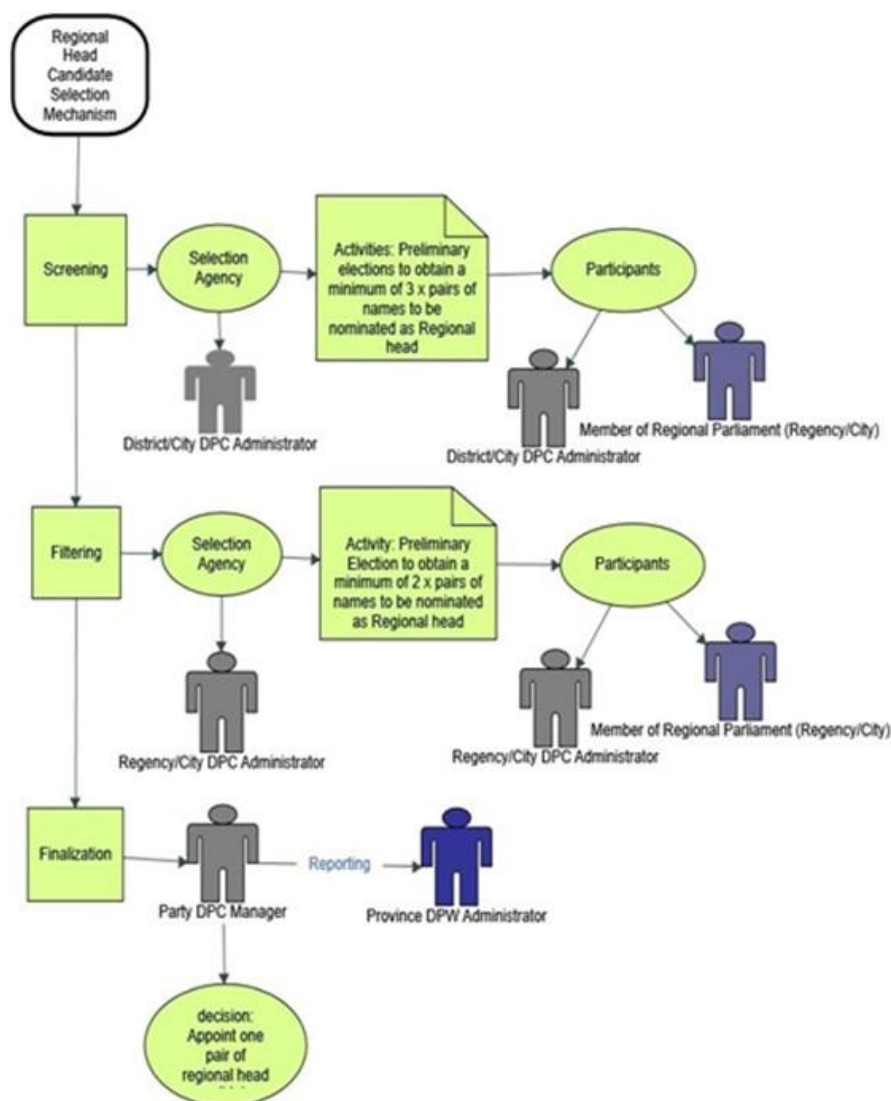


Figure 8: The Steps of a Democratic Candidate Selection Mechanism  
(Source: Authors' depiction)

The final stage is the determination of the candidate pairs that political parties will carry out in the regional head election contestation. At this stage, the final determination is in the hands of party leaders at the local level (DPC), and the results are only reported to regional and central administrators. The mechanism, as described above, will give full autonomy to party administrators at the local level to determine candidates for regional head candidates. Stages like this will create a more democratic and less centralized candidate selection.

As a public institution that has a strategic role in the life of the broader community in Indonesia, political parties need to be encouraged to make improvements and improvements. One of the efforts that can be made is to require a governance and regeneration system and changes to the recruitment mechanism in Indonesia's party and electoral system. These changes are anticipated to compel parties to adopt patterns and levels of cadre on the one hand and, on the other hand, to alter

the recruitment pattern of public officials. The current system is rife with the subtleties of political dynasties, prioritizes elite interests, pays scant attention to the concerns of cadres and constituents, and is marred by rampant dowry practices. These changes must be adopted to improve legislation regarding political parties and elections in the next five years (Haris et al. 2016).

## CONCLUSION

Candidate selection by looking at personal and institutional preferences in political parties has formed rational choice institutionalism when determining regional head candidates promoted by political parties. Political party preferences provide rational choices based on the values they believe have shaped political responses to individuals and institutions. This paper examines the preferences of political parties in selecting regional head candidates from the perspective of rational-choice institutionalism. Explanatively finds variations in the types of preferences of political parties in candidacy, namely systemic, practical, and normative preferences. Internal regulations support systemic preferences, practical preferences are determined by party procedures, directors, and selection criteria, and normative preferences are based on political parties' ideology, values, and goals. Normative preferences will only become mainstream in the candidacy of political parties if party ideology strengthens and the candidate selection mechanism is transformed into a democracy-based selection.

The candidate selection process for local elections involves internal interactions and endogenous relationships. Considering the diverse backgrounds of actor profiles within political parties, it can be deduced that the selection process for candidates in regional head elections takes two forms.

Firstly, institutions control the behavior of political actors. Secondly, agents endeavor to utilize institutions to advance their interests. When political parties fail to accommodate the interests of their members, efforts are made to promote adjustments or reforms to party policies. Candidate selection plays a crucial role in the dynamics of political parties, yet it can also give rise to dilemmas, particularly for local-level political parties. This is because party power remains centralized in practice despite party elites incorporating democratized candidate selection rules. The selection of candidates should assign a significant role to local party elites, serving as intermediaries between party power, local head candidates, and the national party board.

Political parties retain a central role in supplying the requirements of local head candidates. Local head candidates should recognize that political party elites and leaders are individuals who could maximize their personal and organizational preferences. Local head candidates can identify situations that privilege local party elites in utilizing opportunities for personal preferences. The party elite is also responsible for closing opportunities for other parties to be involved in achieving organizational preferences.

Regarding the future political science research agenda, it is important to review the neo-institutional approach with all its variants. The development of digital-based democracy challenges the neo-institutionalism model. The conventional-formal political institutions are challenged by digital political actors, which are anonymous and not institutionalized. New democratic actors are born with new preferences. The attendance of the connective action movement as a transformation of collective action is important as an entrance to changing conceptual-theoretical and methodological

perspectives. Methodologically, the availability of big data and artificial intelligence makes it possible to conduct qualitative-based research. The future research agenda recommends research on neo-institutionalism revisited and post-digital democracy.

## CRediT AUTHOR STATEMENT

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# ECONOMIC CHALLENGES TO UKRAINIAN REFUGEE INTEGRATION IN CENTRAL AND EASTERN EUROPE

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**Abstract:** *The invasion of Ukraine by Russia has resulted in the displacement of millions of Ukrainians, leading to socio-economic and political challenges for the host countries. The Refugee Response Plan, encompassing heavily affected EU Member States, has been the focus of this study, examining how the issue of refugee integration was addressed, with a specific emphasis on flaws and omissions in the approach. Various demographic and socioeconomic data and strategic national documents related to refugee integration were compared for this analysis. Employment was identified as a key tool for the integration of Ukrainian refugees. The findings revealed a lack of a common refugee integration policy among the surveyed countries despite similar past and current socioeconomic circumstances and security environments, including mixed migration. Ambiguities across these countries, including local population perceptions hindering Ukrainian refugee integration, were observed. Consequently, we assert the necessity for EU harmonized measures, emphasizing their long-term implementation to alleviate the economic burden of the war in Ukraine and provide predictability in the actions of individual governments.*

**Keywords:** *Ukrainian Refugees; Refugee Integration; Ukraine; Central-Eastern Europe Studies; Economic Challenges*

## INTRODUCTION

Since 24 February 2022, the Russian invasion of Ukraine has forced more than 8.1 million people to flee the country (UNHCR 2023a), marking the largest number of refugees registered in Europe since the end of the Second World War. From today's perspective, the Ukrainian refugee situation can be compared to some extent to the consequences of the so-called Arab Spring, including the collapse of the state in Libya and the civil war in Syria. With regard to this, some similarities can be found when it comes to the lack of a common and agreed approach to refugee integration in EU countries. At the same time, there are also some notable differences. For example, those who have been arriving in the EU from the Middle East and North Africa (MENA) region over the last decade have been primarily males and from countries with a predominantly Muslim population. Against this background, those coming from Ukraine, where the main religion is Orthodox Christianity and where the mobilization in the country has forced men aged 18-60 to stay, are mainly women and children.

In fact, at the end of April 2023, 71.3% of the beneficiaries of temporary protection in the EU were females and children, with 98% of people benefitting from temporary protection being Ukrainians (Eurostat 2023a).

In other words, very few Ukrainian refugees are men of working age. Simultaneously, some of the women are also mothers and, thus, busy taking care of their children, which can be associated with particular economic challenges for the host countries.

Regardless of when the war in Ukraine will end, a significant part of the Ukrainian refugees will likely not return to their home country for an extended period, as other refugee situations suggest (e.g., Zetter 2016). This is, in fact, one of the reasons why the EU Member States should not approach the current state of affairs in a short-term aspect but instead work on the idea of integrating into the local society those refugees who are willing or forced to stay longer. Also, such a situation can lead to some economic and social opportunities, especially at the local level.

Under such circumstances, the EU Member States that are in close proximity to Ukrainian borders and fall under the current January-December 2023 UNHRC Regional Refugee Response Plan (RRP) for people coming from Ukraine come to the fore. Nonetheless, these countries approach Ukrainian refugees mainly on an individual basis, which ultimately leads to more challenges, especially in the long term. This, in turn, highlights the need to find and promote a common and coordinated approach among them to minimize gaps and enhance the effectiveness of refugee integration. This includes maximizing the benefits for the refugees and host countries.

## LITERATURE REVIEW

The refugee integration in the EU has been of particular interest to scholars for decades. The Arab Spring and the civil wars that followed in Libya and Syria further intensified this issue, making it a matter of great political and social interest. Bucken-Knapp et al. (2020, 5) describe integration as a process aimed at enabling newcomers to go on an equal footing with the host population in order for the former to function properly in the host society. In fact, as Phillimore (2019, 1953-1954) notes, the local context is crucial when it comes to integration opportunities. According to her, job opportunities, adequate housing, and healthy living conditions are among the most essential integration-related factors. Thus, more attention should be dedicated to understanding how the conditions and resources in the host country shape integration outcomes at the local level.

Still, it should be noted that although refugees are a vulnerable group and the host country is expected to treat them adequately, often their integration somehow remains outside of these efforts.

Hynie (2018, 266) states that the refugee system is usually intended to find short-term solutions and not permanent ones. Because of this, long-term refugee settlement and integration are not a priority since once the given conflict situation is solved, they are expected to return to their country of origin.

In terms of the Ukrainian refugees, the literature on this matter is somewhat limited at the moment as the war is still ongoing, and many questions remain unanswered. Expectedly, some scholars pay attention to the Ukrainian refugees' profile. Bird and Noumon (2022), for example, argue that the higher proportion of women and children among them leads to more spending in host countries on education, childcare, and health services. This is also noted by the International Monetary Fund (2022, 15), according to which managing the significant influx of refugees from Ukraine will remain a challenge as long as the war continues. Therefore, it will require increased

government funding of social services, education, and healthcare, including building the relevant infrastructure in these sectors (International Monetary Fund 2022, 15).

As the economic aspects of refugee inflows are usually perceived as a burden to the host country, at least in the short-term, employment is often regarded as one of the most essential factors of refugee and generally migrant integration. In fact, incorporating refugees into the host economy is widely seen as an effective way to strengthen the economic health of local communities (UNHCR n.d., 3). Furthermore, Phillimore and Goodson (2006, 1719-1720) highlight that employment enables interaction, increases the opportunities to learn the local language, and provides the refugees an opportunity to build a future and restore confidence, as economic independence makes integration into the local society easier. Nonetheless, Bevelander (2016, 3-7) argues that the fact that refugees arrive under different circumstances and are accepted according to alternative criteria seems to have an impact on their integration into the labor market. He also notes that while refugees can obtain permanent residence in some countries, others allow them only a temporary one, which can ultimately have a significant impact on immigrants' labor market behavior and subsequent economic integration (Bevelander 2016, 3-7).

Apart from various measures at the national level, employment prospects among the refugees are closely related to the period of stay and the presence of a diaspora as well. Concerning this, Botelho (2022) notes that most Ukrainian refugees are more likely to initially stay in countries bordering Ukraine, given their geographical proximity, before gradually moving to other countries. A major role in this regard will be the ability of host countries to accept them, as well as the Ukrainian communities in the given countries, which would facilitate refugee integration. For example, the existing Ukrainian diaspora in Poland provides support for finding work among newly arrived Ukrainians (Norwegian Refugee Council in Poland 2022, 7).

Concerning the Ukrainian refugee's impact on local employment, it can be stated that, at this moment, it is still premature to make some general conclusions. On the contrary, some perceptions prevail. Public surveys conducted in the second half of 2022 in the Czech Republic, Hungary, Poland, and Slovakia showed that most of the Czechs and Hungarians did not see the Ukrainian refugees as creating severe difficulties for the employment of the local population (Mishchuk and Vlasenko 2023, 8-11). However, in Poland, that percentage was close to ¼ of the locals, while 46.8% of the Slovaks regarded the refugees as a threat to their employment prospects (Mishchuk and Vlasenko 2023, 8-11).

## METHODOLOGY

This article uses data about nine EU Member States that fall under the January-December 2023 RRP, namely Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, and Slovakia, as they are among the most affected by the refugee inflow from Ukraine.

On the other hand, they are financially supported by the international community, including for the purpose of helping Ukrainian refugees to be effectively included in "national systems such as health, education, accommodation, social protection, labor markets and so on, without discrimination and on a par with nationals" (UNHCR 2023b). Also, all of them were part of the Eastern Bloc and the Warsaw Pact (some as part of other state formations) during the Cold War, while nowadays, they are members of the EU and NATO.



The study is based on the comparative analysis of some factors, such as demographic and socioeconomic data, as well as strategic national documents in this field when it comes to the RRP countries' capacity to deal with the current situation. Particular attention is being paid to employment as a critical tool for the successful integration of Ukrainian refugees.

This article deals only with publicly available information, including statistical data from national and international institutions.

## DATA ANALYSIS AND DISCUSSION

This section is divided into several sub-sections regarding specific key factors that are considered to influence Ukrainian refugee integration, namely the demographic situation, socioeconomic context, as well as political and legal aspects in the host countries.

### Ukrainian Refugees in the Context of the Host Country's Demography

The temporary protection mechanism activated by the EU on 4 March 2022 and currently granted until 4 March 2024 applies to those who were residing in Ukraine before or on 24 February 2022. Although the numbers in most of the selected countries might not seem impressive per se, the situation changes when they are seen as a percentage of the host country's total population (Table 1).

**Table 1: Ukrainians Benefitting from Temporary Protection as of 31 March 2023**  
(Source: Eurostat 2023b; UNHCR; UN Population Prospects 2022; own calculations)

Country	Total Number of Beneficiaries of EU Temporary Protection			Ukrainian Refugees Recorded in the Country as <i>per</i> UNHCR Data	
	Number	Total Population of the Host Country in 2021	Share of the Total Population	Number	As a % of the Total Population of the Host Country in 2021
Bulgaria	153 545	6 938 000	2.21%	49 826	0.72%
Czech Republic	325 245	10 524 000	3.09%	516 000	4.9%
Estonia	37 020	1 330 000	2.78%	69 616	5.23%
Hungary	30 585	9 731 000	0.32%	35 030	0.36%
Latvia	35 985	1 887 000	1.91%	32 380	1.72%
Lithuania	67 775	2 805 000	2.42%	76 540	2.73%
Poland	999 735	38 379 000	2.60%	1 593 860	4.15%
Romania	124 035	19 394 000	0.64%	97 085	0.5%
Slovakia	99 525	5 456 000	1.82%	114 628	2.1%

As shown in Table 1, in 5 out of 9 countries, those registered for temporary protection represent more than 2% of the local population. The situation is similar when it comes to registered refugees in the same countries, with two main differences: in this case, in Bulgaria, refugees from Ukraine are less than 0.8% of the population, and in Estonia, they exceed 5% of the local population.

The demographic context is all the more critical because, since 1989, a population decline has been observed in most of the countries surveyed (Table 2). According to UN estimations, the

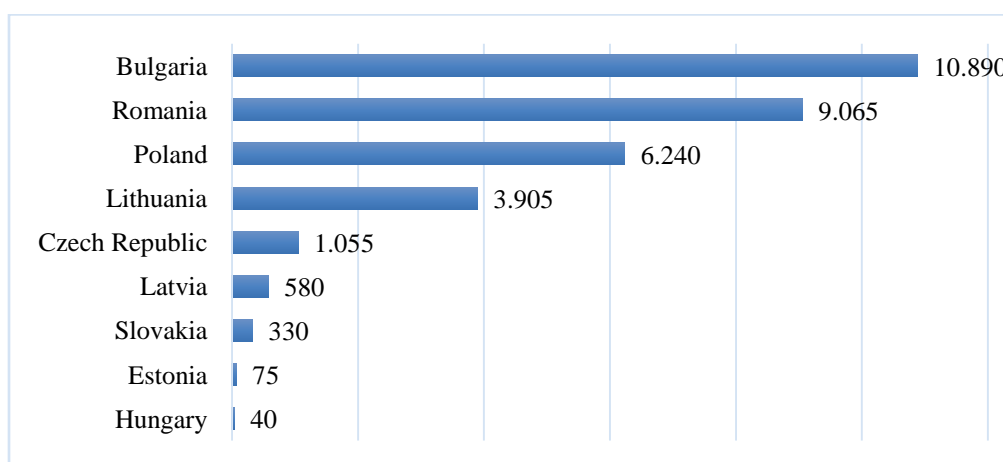
population of three of them - Bulgaria, Latvia, and Lithuania - is expected to shrink by more than 20% until 2050, which is the largest expected reduction globally (United Nations Department of Economic and Social Affairs, Population Division 2022). Therefore, the refugee and migrant inflows can also be seen as an opportunity from a demographic perspective.

**Table 2: Demographic Changes in the RRP Countries between 1989 and 2021**

(Source: United Nations, Department of Economic and Social Affairs, Population Division)

Country	1989	2021	
		Total Number	The Net Change in %
Bulgaria	8 821	6 938	-21.35
Czech Republic	10 306	10 524	2.12
Estonia	1 565	1 330	-15.02
Hungary	10 417	9 731	-6.59
Latvia	2 694	1 887	-29.96
Lithuania	3 766	2 805	-25.52
Poland	37 870	38 379	1.34
Romania	22 750	19 394	-14.75
Slovakia	5 236	5 456	4.20

The refugee-related situation in some of the countries surveyed is further complicated by the constant inflow of asylum seekers from other parts of the world (Figure 1) and generally by the mixed migration coming from the MENA region.



**Figure 1: Number of Asylum Applications in the RRP Countries in 2021 (Source: Eurostat 2023c)**

The data in Figure 1 reveal that in 2021, among the countries falling under the RRP today, most asylum applications were submitted to Bulgaria, followed by Romania, Poland, and Lithuania. The large number of attempts for illegal border crossings can also be added to those numbers. For example, in Bulgarian, in 2022 alone, more than 166,000 such attempts were prevented (BNR, 2023a).

From today's perspective, it can be stated that a significant number of Ukrainian refugees in Ukraine has been registered in all countries. At the same time, in some of them, particularly Bulgaria,

there have already been substantial challenges from previous years related to the mixed migration from the MENA region. In other words, prior refugee integration failures can also affect the expectations and attitudes within the host countries.

### Socioeconomic Situation in the Host Countries

As mentioned earlier, the Russian military aggression in Ukraine has caused unprecedented refugee flows towards the EU. Unsurprisingly, most Ukrainians have fled to the nearest countries due to their proximity and the chances of acquaintances, relatives, or family members living there. However, these host countries are also significantly less economically developed than those in Western Europe, as seen in Figure 2.

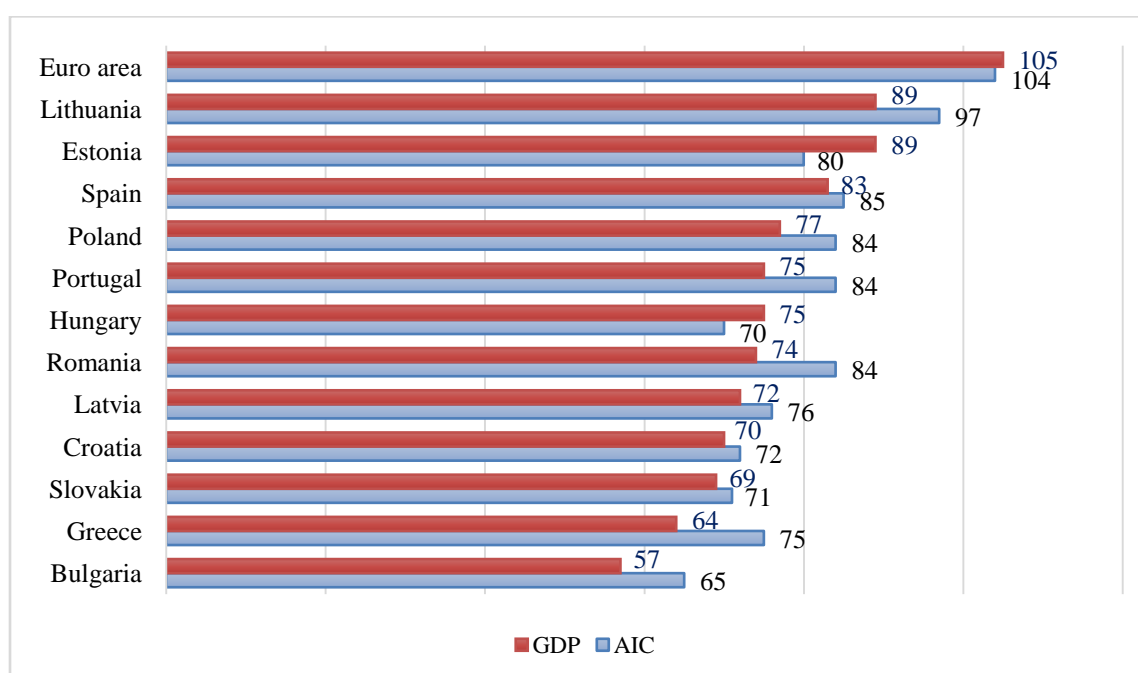


Figure 2: GDP and Actual Individual Consumption Volume (AIC) Indices *per Capita* in the EU in 2021  
(Source: Eurostat 2022a)

In addition to the economic challenges related to the war in Ukraine, the Covid-19 pandemic also led to economic turmoil, including a high level of unemployment in 2020 (Figure 3), while with the easing of the restrictive measures due to the pandemic, the employment rate started increasing, and in some countries reached even pre-pandemic levels.

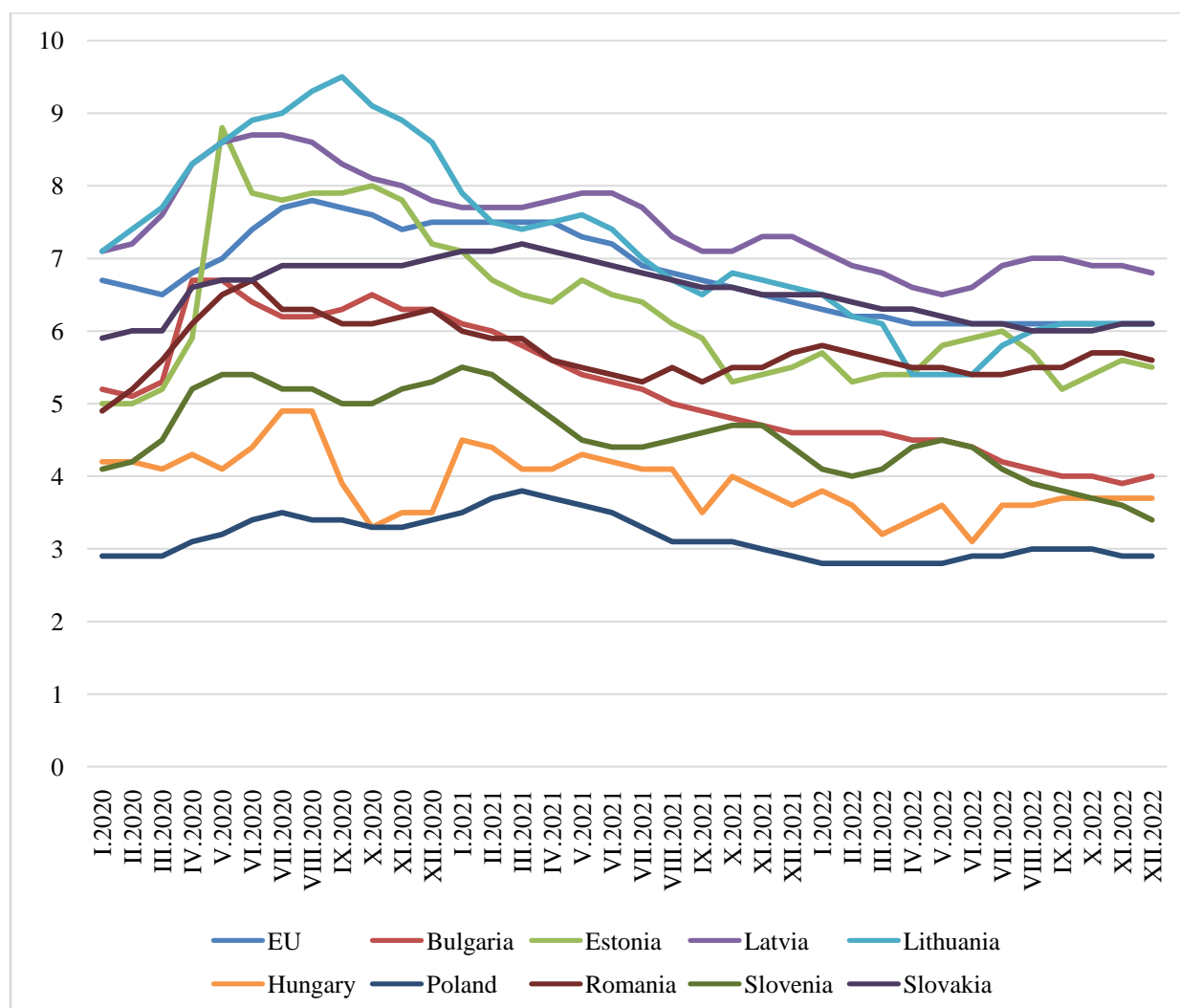


Figure 3: Unemployment Rate as a Percentage of the Population in the Labor Force in 2020-2022 (Source: Eurostat 2023d)

Against the background of the Covid-19 pandemic, the Russian invasion of Ukraine does not seem to have similar effects. As a matter of fact, an increase in the unemployment rate is registered in Estonia, Latvia, Hungary, and partly in Lithuania and Poland. However, generally, this increase has been much lower compared to the levels related to the Covid-19 pandemic.

Taking into account all the above stated, there is one indicator that has particularly affected negatively the socioeconomic conditions in the EU in the 2020-2022 period, namely the inflation rate, as shown in Figure 4.

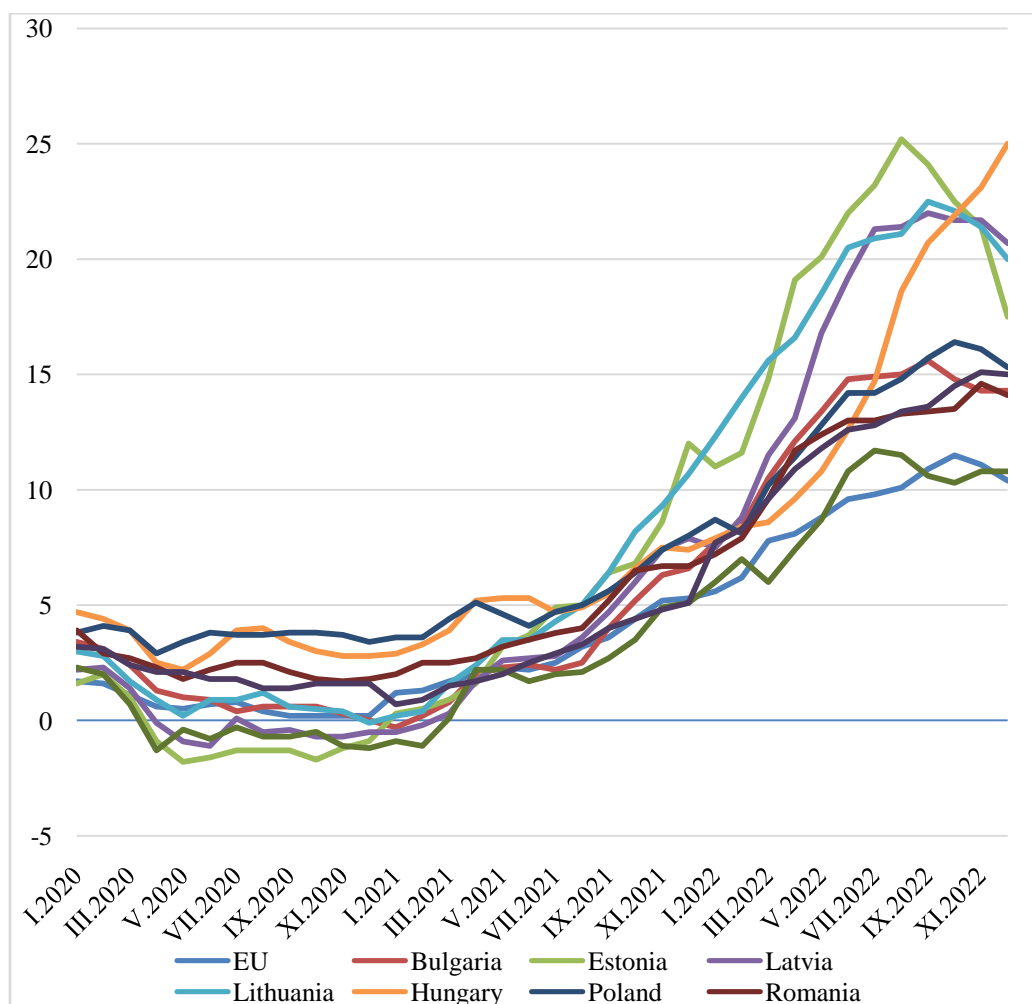


Figure 4: Harmonized Index of Consumer Prices Per Country (Annual Rate of Change)  
(Source: Eurostat 2023e)

The data in Figure 4 shows a steep surge that started in early 2021 in all countries. This was further intensified by the war in Ukraine and the subsequent Russian gas cuts for the EU. As a result, some record inflation rates were registered in the second half of 2022 at the EU and national levels.

In October 2022, the inflation reached 11.5% at the EU level, with the highest value registered in Estonia in August 2022 - 25.2%, and in Hungary in December 2022 - 25% (Clark 2022).

Under such circumstances, host population perceptions towards newcomers also matter. From a historical point of view, unlike some Western countries, the Balkan and Eastern European countries had no colonial territories in Africa or Asia.

Therefore, it is not surprising that in the RRP countries, one of the most frequently cited reasons for the local population's reluctance to accept refugees and asylum seekers from the MENA region, for example, is the perceived significant difference in cultural and social aspects. In this line of thinking, the current situation should be seen as an opportunity for Ukrainian refugee integration in the RRP countries economically, socially, and culturally. The latter should be somewhat facilitated due

to the previously mentioned similarities between the Eastern European countries and Ukraine, including the Ukrainian diaspora before the Russian invasion (Table 3).

**Table 3: Ukrainian Citizens with a Valid Residence Permit in the RRP Countries in 2021**  
(Source: Eurostat 2022b)

Country	Total Population	Number of Ukrainians with a Valid Residence Permit	% of the Total Host Population
Bulgaria	6 938 000	9 149	0.13%
Czech Republic	10 524 000	193 547	1.84%
Estonia	1 330 000	14 282	1.07%
Hungary	9 731 000	63 175	0.65%
Latvia	1 887 000	9 087	0.48%
Lithuania	2 805 000	32 884	1.17%
Poland	38 379 000	651 221	1.70%
Romania	19 394 000	2 260	0.01%
Slovakia	5 456 000	54 138	0.99%

As shown in Table 3, the Ukrainian diaspora was highest in numbers and as a percentage of the total population in Poland and the Czech Republic. At the same time, the lowest values were registered in Romania and Bulgaria. Suppose we assume that having a significant diaspora is a factor facilitating the integration of refugees. In that case, the combination of lacking such diaspora and subsequent significant refugee inflow from the same nationality can be interpreted as a serious challenge to integration into the host society.

Indeed, considering the data in Table 1, that difference is five times higher in Bulgaria and Estonia and even 50 times higher in Romania. However, in the case of the latter, this is primarily attributed to the very small number of Ukrainian diaspora members before 2022. Under such circumstances, employment is revealed to be a crucial factor for refugee integration. Focusing on the Ukrainian refugees' unemployment rate in the EU, the data in this regard is quite limited because not all EU Member States have been providing information about it on a regular basis since 24 February 2022.

For instance, in March 2022, 15 countries have submitted data, in April - 21 countries, May - 23 countries, June - 25 countries, July - 24 countries, August - 24 countries, September - 25 countries, October - 22 countries, November - 22 countries, and December - 21 countries (Eurostat 2023). It is also essential to underscore that not all of the countries surveyed began reporting immediately, as this happened for the first time in July 2022.

The war in Ukraine understandably has severely hit the employment rate of the Ukrainians, including those fleeing the country. Figure 5 reveals that the number of registered unemployed Ukrainian refugees in the EU reached its peak in September 2022 and maintained a level close to that until the end of March 2023. It is to be noted that the number of unemployed Ukrainian women is several times higher than that of males and youth aged under 25. All this can be seen as a prerequisite for deepening social and economic hardship in the EU, as many of them practically depend on the national governments and the EU, while the Member States are supporting Ukraine economically and militarily.

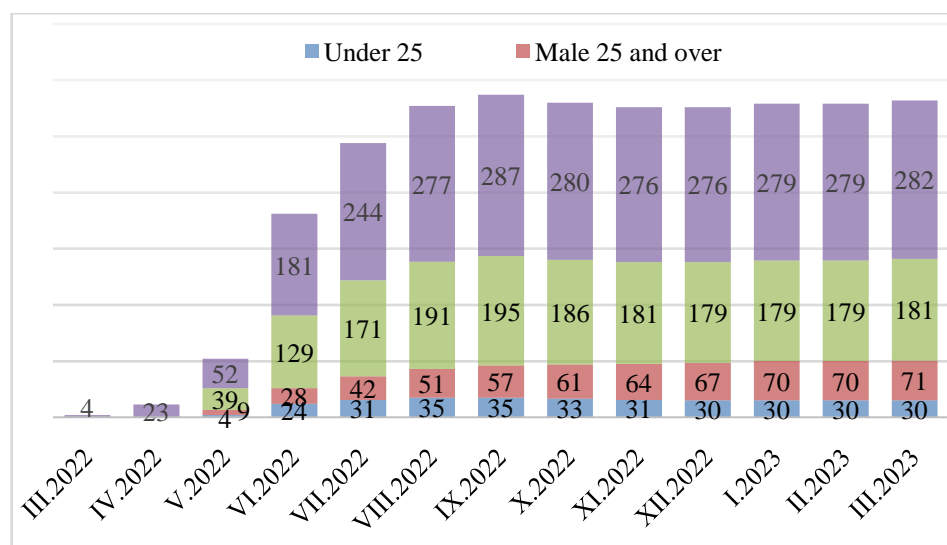


Figure 5: Unemployed Refugees from Ukraine Registered in the EU by Age and Sex (in Thousands)  
(Source: Eurostat 2023d)

Within the EU, the Temporary Protection Directive (TPD) is a key tool that provides immediate and temporary protection in the event of a mass influx of displaced persons from third countries who cannot return to their country of origin. In the case of the Ukrainian refugees, it gives them quick access to legal status and, thus, to employment, social services, and benefits. As some data reveal, 40% of the Ukrainian refugees have already started working in the host country (UNHCR 2023c).

Obviously, there are a host of reasons for the unemployment of many Ukrainian refugees. However, it is important to clarify that a number of problems they face in the host countries also exist for the local population. Across the RRP countries, as such, there are low salary levels, poor quality of some social services, and lengthy bureaucratic procedures. Also, as Desiderio and Hooper (2022) suggest, some Ukrainian refugees may have been employed in the informal economy (including providing childcare and elderly care services within the Ukrainian community) or on a more casual basis (including informal self-employment or remote work).

In terms of the Ukrainian refugees' employment and integration, their education becomes of utmost importance, especially since many of them are children. This is due to several reasons. Formal education is seen as a "protective factor" for refugee and displaced children (Kos 2005). Education is also seen as a factor facilitating the integration of newcomers into the host economy and society. In long periods of uncertainty and disruption, it can support integration and language acquisition and, thus, provide the necessary skills for an individual to function in the new context (Morrice 2022, 252).

Simply put, learning the host language will ease Ukrainian refugees' integration into the host society and job market. Although it is generally perceived that refugee women tend to be poorly educated with respect to the host population (Albrecht et al. 2021, 41), this is likely not the case with Ukrainian refugee women. Most data collected on this matter is mainly indicative; still, in 2021 alone, 65% of Ukrainian women aged 30-34 completed tertiary education, in comparison to the average 46% of the EU (Eurostat 2023f).

It should be noted that the difficulties arising from the presence of so many children among the refugees are only one side of the coin. They also bring a number of opportunities for the host countries since by including these children in the education system, more teachers, translators, and employees from other related professions will be hired. Also, if access to kinder gardens and schools is not hindered, many Ukrainian females will have more job opportunities. This, in turn, will have a positive impact on the host countries in economic and social terms.

## Economic Dimensions of the Normative and Legal Basis Concerning Refugee Integration

The normative and legal framework at the national level plays an important role when it comes to people seeking protection. For example, the term *integration* might have numerous meanings. Also, as a dynamic, multifaceted, and long-term process, the integration includes as key actors, not only the refugees but the local population as well. In fact, the UNHCR notes that the refugees should be prepared to adapt to the way of living of the host society, while the latter is required to be more willing and responsive to the needs of a diverse population (UNHCR 2002, 12).

Nowadays, some countries still lack a solid legal basis in terms of refugee integration. For instance, in Bulgaria, in the period 2014-2020, there was a National Strategy for the integration of those granted international protection in the country; however, since then, there has not been another similar document to replace it. Currently, the main document related to migration in the country is the National Migration Strategy of the Republic of Bulgaria 2021-2025. However, its implementation is accompanied by a number of omissions (e.g., a lack of a concrete plan on how to implement it initially, insufficient attention paid to integration issues, and irregular reporting).

Table 4 sheds some light on some details about the existing strategic documents related to refugee integration in the countries surveyed.

**Table 4: Strategic Documents Related to Refugee Integration in the RRP Countries as of 31 May 2023**  
(Source: European Commission 2023)

Code	Document	Period of Action	Specific Objectives Related To	Measures Related to Economic Integration
BG	National Strategy on Migration of the Republic of Bulgaria	2021-2025	<ul style="list-style-type: none"> <li>• provision support for migrants;</li> <li>• strengthening the processes of return for foreigners residing in the country without legal grounds;</li> <li>• contribution to the adoption of a common European asylum system;</li> <li>• developing and strengthening partnerships with third countries.</li> </ul>	<ul style="list-style-type: none"> <li>• easier visa rules, faster procedures for application of the permit regime or fewer required documents, etc.);</li> <li>• improved access to information for third-country nationals regarding work opportunities;</li> <li>• preventing illegal employment, including labor exploitation.</li> </ul>
CZ	Czech Immigrant Integration Policy	2000, with updates in 2006, 2011, 2016, and 2021	<ul style="list-style-type: none"> <li>• provision of equal opportunities and non-discrimination environment;</li> <li>• provision of long-term residents with rights similar to those of Czech citizens</li> </ul>	<ul style="list-style-type: none"> <li>• economic and social self-sufficiency (job advisory services and re-qualification courses);</li> <li>• orientation of migrants in society (integration and adaptation courses and socio-cultural courses);</li> </ul>
ES	Cohesive Estonia	2021-2030	<ul style="list-style-type: none"> <li>• adaptation and integration of newly arrived immigrants.</li> </ul>	<ul style="list-style-type: none"> <li>• improving the availability and needs-based nature of labor market services for people from different linguistic and cultural backgrounds;</li> <li>• support for the recruitment of employees with other native languages in state and local government agencies;</li> <li>• improving the ability of employers to cope</li> </ul>



				with a multicultural and multilingual environment.
LV	Guidelines for the Development of a Cohesive and Civically Active Society	2021-2027	<ul style="list-style-type: none"> <li>• development of a cohesive society;</li> <li>• integration of newcomers through learning the Latvian language;</li> <li>• acquiring knowledge of the Latvian history and traditions.</li> </ul>	<ul style="list-style-type: none"> <li>• provision of the socioeconomic inclusion introductory course program for asylum seekers;</li> <li>• Latvian language courses for citizens of third countries, asylum seekers, and recipients of international protection.</li> </ul>
LT	Strategy for Demography, Migration and Integration	2018-2030	<ul style="list-style-type: none"> <li>• decent working and living conditions for foreigners;</li> <li>• strong and inclusive local communities;</li> <li>• trust in state institutions;</li> <li>• tolerant receiving society.</li> </ul>	<ul style="list-style-type: none"> <li>• integration and communication in a favorable environment;</li> <li>• Ensure effective integration of the population into the labor market;</li> <li>• ensure competitive wages and a sufficient number of quality jobs.</li> </ul>
HU	Hungary's Migration Strategy	2014-2020	<ul style="list-style-type: none"> <li>• integration of migrant populations into Hungarian society;</li> <li>• outlining migrants' rights and duties in Hungary;</li> <li>• providing support services, legal assistance, and representation.</li> </ul>	<ul style="list-style-type: none"> <li>• Facilitating the entry of migrants into the labor market with training, retraining, and providing discounts to employers.</li> </ul>
PO	Law on Assistance.	2004 -current	It applies to the refugees and foreigners granted subsidiary protection on the territory of Poland.	<ul style="list-style-type: none"> <li>• benefits in cash for learning the Polish language;</li> <li>• specialized guidance.</li> </ul>
RO	National Strategy for Immigration	2021-2025	<ul style="list-style-type: none"> <li>• Regulation of national policies on workforce admission, residence, and immigration;</li> <li>• Fight against illegal immigration;</li> <li>• Integration of foreigners granted certain types of protection.</li> </ul>	<ul style="list-style-type: none"> <li>• Stimulating employers in hiring third-country nationals who have completed their studies in Romania;</li> <li>• Informing foreigners, employers, and companies in Romania about the Romanian legislation on immigration;</li> <li>• Strengthening the quality control mechanism of the asylum procedure;</li> </ul>
SK	Migration Policy of the Slovak Republic: Perspective until the Year 2025	2021-2025	<ul style="list-style-type: none"> <li>• Ensuring long-term, seamless coexistence of the country's majority and migrant populations;</li> <li>• Avoiding negative social patterns;</li> <li>• Expanding opportunities for migrant integration funding measures.</li> </ul>	

The poor, controversial, or insufficient involvement of governmental bodies in refugee integration is a common practice in most of the countries surveyed. In Hungary, for instance, the role of the authorities is not officially established, and there is no consultative body on integration issues; thus, the integration of foreigners is mainly project-based and carried out by NGOs (Kováts and Soltész 2022, 27). Also, Hungary's migration strategy expired in 2020. At the time of writing, there is no similar document to replace it. The country is known for its rather non-supportive immigration policy when it comes to non-EU nationals and not of Hungarian origin.

It is interesting to note that despite being part of a common union and society, not only now but also during the Cold War, all countries involved have different orientations in the course of their actions related to third-country nationals' arrival and integration. The strategic documents of each state, although expected to be quite similar, have many variations in terms of their period of action, objectives, and target groups. The state authorities that are responsible for issuing and implementing migration and integration plans and strategies also vary. In most cases, the Ministry of Interior or equivalent public structures are those engaged in the process. There are also countries such as Estonia and Latvia, where the Ministry of Culture is one of the key actors.

In addition, it should be highlighted that there is a crucial contrast between the previous refugee inflows to Europe in 2010 and the one caused by the Russian invasion of Ukraine. Led by the expectations that the conflict would not last long, most of the countries decided to grant Ukrainian

refugees temporary protection. Being part of the EU, the countries surveyed are obligated to follow the measures imposed in the 2001 TPD. To clarify the provision of temporary protection to people fleeing the war in Ukraine, on 21 March 2022, the European Commission issued the so-called Operational guidelines. This document helps Ukrainian refugees find an easy answer to issues such as rights, obligations, persons eligible for protection, etc., and it outlines the period of action that all EU Member States must respect (EUR-Lex 2022). However, the ongoing conflict has already required a further extension of the duration of the measures taken. Therefore, the countries need to impose adequate improvements in their integration strategies, especially in terms of refugee employment, that otherwise will provoke specific economic challenges in the host countries.

In this regard, for instance, the Bulgarian Council of Ministers made certain amendments in order to give displaced persons from Ukraine temporary protection in the country for a year, starting from 24 February 2022, which was later prolonged to 4 March 2024, in line with the TPD extension by the European Commission (BNR 2023b). Among the other benefits provided to Ukrainians are vocational training opportunities, free medical assistance in emergencies, free medical care for persons under the age of 18, to name a few.

Similar practices at the national level were followed by most of the EU countries. In fact, the main difference related to the duration of the temporary protection is the automatic prolongation or adoption of specific legislative acts. Latvia, for instance, extended the validity of temporary protection for as long as it was in force in the EU. On the other hand, Slovakia announced an automatic extension of the protection without additional legislative amendments (European Union Agency for Asylum 2023).

All of these actions have been in accordance with the EU's response to the situation. However, in 2022, Poland adopted an individual approach permitting Ukrainians and their family members to stay legally in the country until 24 August 2023 (European Union Agency for Asylum 2022).

It is to be noted that in terms of accommodation, most of the countries' refugee camp capacity is insufficient to meet such large inflows. What is more, the mixing of nationalities and religions could cause conflicts and tensions in such institutions. Concerning this, the EU has activated some funds, such as the Asylum, Migration and Integration Fund, the European Regional Development Fund, and the European Social Fund, to name a few. Nevertheless, the response of each state has been predominantly individualistic and not based on a unified policy on this matter. For instance, upon their arrival in Poland, refugees were requested to cover part of their accommodation costs (between 50% and 70%) in common shelters, depending on the period of stay in the country (International Rescue Committee 2023). In Estonia, accommodation will be provided for as long as there is a need for it, but the place of accommodation may change during the period of assistance (Tallinn 2022). In Bulgaria, the situation has been similar, as initially, the Ukrainian refugees were accommodated in private hotels, then relocated to state-owned holiday bases, and then again to other facilities.

Although the countries surveyed follow similar paths in their geopolitical development, being part of the Eastern Bloc before and members of the EU and NATO nowadays, the analysis shows that each of them has its signature in dealing with newcomers, including refugees.

## CONCLUSION

The Russian invasion of Ukraine and the subsequent refugee inflow came at a moment when the negative economic, political, and social consequences of the Covid-19 pandemic were still in play. As a result, new economic and political upheavals followed in the EU. Given their geographical location, the nine countries surveyed were called upon to absorb much of the refugee inflow from Ukraine. Indeed, across them, the challenges in that respect vary, but they mainly come from their socioeconomic situation and the different approaches to refugee integration they follow. There is a clear need for more harmonized standards in the EU in the area of refugee reception and integration. For example, within the EU defense field, it is well-known that it is far better to have one common security policy than 27 separate ones. This paper shows that all nine countries surveyed have their strategies with specific socioeconomic goals to achieve. They also cover a wide range of issues, such as work with migrants, asylum seekers, and refugees, including their integration. However, that leads to a number of challenges as all of these groups need a different approach when it comes to their integration.

In terms of the latter, several years ago, the then OECD Secretary-General Angel Gurría noted that refugee integration is challenging, mainly due to the fact that many refugees are low-skilled, which leads to almost 20 years necessary for them to achieve an employment rate similar to that of other migrants in the host country (Gurría 2016).

Despite the apparent differences between the refugee inflow from the MENA region and the Ukrainian refugees, the integration of the latter should not be treated superficially, which can be dictated by the expectations for their imminent return to Ukraine or their too-quick integration into the local society. Therefore, different approaches and measures can be used for a more successful integration.

Undoubtedly, employment is among them, as through it, refugees receive a chance to restore their dignity and possibly build a new life. Also, many of the countries surveyed in this paper declare a shortage of workers necessary for their economies. Hence, the current situation provides some essential prerequisites for successful refugee integration into the local labor market. Rightfully, a number of accompanying support measures are also needed, such as “taking stock of the existing evidence on the socioeconomic profiles of the new arrivals” (OECD 2023).

It is to be noted that budget constraints in individual countries, especially combined with increased defense spending due to the conflict in Ukraine, make the refugee integration topic even more sensitive among the local population. Therefore, they should agree on national integration policies concerning Ukrainian refugees. On the one hand, this will be a clear signal that a common problem needs a joint answer, including in terms of decision-making.

On the other hand, it will help in terms of predictability in the actions of individual governments, which will also make them more transparent both in the eyes of the refugees themselves and the local population.

In addition, undertaking short-term policies, as is the case with granting temporary protection to Ukrainians, is not a favorable alternative in the long term. Actually, the need for a common regional and EU answer to refugee integration can be seen in the light of the broader issue of migration. As Giordano (2016, 41) notes, the EU Member States are urged to have a more united

and continental vision of migration and population issues, which should not be a short-term one, and by doing so, this will benefit both the host countries and those of origin.

Notably, the substantial presence of Ukrainian refugees in EU countries, combined with Ukraine's expressed desire to join the EU, could significantly impact Ukraine's future integration into the European Union.

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# ASSESSING DISPROPORTIONATE TERRITORIAL DEVELOPMENT: INSIGHTS FROM 10 COUNTRIES

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**Abstract:** Territorial development disparities are an undeniable reality for all the countries of the world, which implies that no country can practically avoid them. However, how different countries respond to these disparities is another matter. The effectiveness of policies in overcoming territorial development disparities depends significantly on how deeply these disparities are recognized and studied. In this context, assessing disparities in territorial development is necessary, and the article proposes a methodology for its implementation. The methodology examines territorial development indexes and their relative standard deviation. In the article, the developed methodology was also applied to 10 countries, as a result of which the levels of territorial development disparities in Canada, Poland, Bulgaria, Hungary, Finland, Serbia, Georgia, Moldova, Kazakhstan, and China were evaluated. Based on the assessments, general conclusions are also presented for each country in the article.

**Keywords:** Territorial Development Disparities; Disparity Assessment Methodology; International Experience; Territorial Policy; Modeling

## INTRODUCTION

Territorial development is a phenomenon significantly determining the general development of a country, which is often identified with progress and socio-economic improvements in territorial units. However, territorial development is characterized by geographical disparities, which implies the existence of inconsistencies in the development rates between territorial units (Medeiros 2022). Such asymmetry is an important factor hindering the country's development, for the elimination of which it is necessary to implement actions aimed at ensuring proportionate territorial development. Disparities in territorial development exist in all countries (Grigoryan et al. 2014), and these disparities are caused by many factors affecting geographical, climatic, demographic, and economic development (Movsisyan et al. 2023). In practice, there is often a need to assess the degree of those disparities in a particular country. For this very purpose, the article developed a methodology for assessing territorial development disparities, which was used to evaluate disparities in 10 countries.

## LITERATURE REVIEW

Uneven territorial development includes and reflects disparities at the territorial level with unequal economic, social, political, cultural, and environmental conditions and cumulative outcomes (Pike, Rodriguez-Pose, and Tomaney 2011). Uneven territorial development is most often identified with differential levels of economic efficiency and well-being among territorial units (Kutscherauer et

al. 2010). In the narrowest sense, it has traditionally been viewed as an unequal distribution of income and outcomes (Widuto 2019). Uneven territorial development can lead to social tension and political polarization, increasing dissatisfaction with political authorities and threatening the stability of the social structure and national cohesion formed in the country (Floerkemeier, Spatafora, and Venables 2021). The uneven socio-economic development of countries not only disrupts the foundations of sustainable development but also rejects the fundamental principle of human equality - democracy (Tadevosyan et al. 2015).

The object of territorial development is the region, the territorial unit. There are two types of territorial units: operational and administrative. Operational regions are formed based on some common feature or homogeneity, and administrative regions are the units formed by the administrative-territorial division of the country (Edwards 2017).

Disparities in territorial development are characteristic of all the countries of the world. However, the degree of these disparities varies from country to country. Objectively, there is a need to identify the degree of territorial development disparities in different countries because it is possible to identify countries with an effective territorial development policy under other equal conditions. The article aims to complement the existing series on the subject.

## METHODOLOGY

The assessment of territorial development disparities implies the extraction or calculation of discrepancies in territorial unit development levels based on several indicators determining the socio-economic development. With the first step in assessing territorial development disparities, there is a need to assess the development levels of territorial units because only on their basis is it possible to identify the degree of disparities. The evaluation of the development levels of the territorial units will be carried out by calculating an index, the calculation formula of which is presented below (Eq. (1)).

$$\text{Eq. (1)} \quad D_{hj} = \sum (W_i * (X_{nij} / \max(X_{nij}))) / \sum (W_i)$$

Where:

$DI_{nj}$  - the development index of the n-th territorial unit in the j-th year,

$W_i$  - the weight of the i-th index,

$X_{nij}$  - the i-th indicator in the j-th year of the n-th territorial unit,

$\max(X_{nij})$  – the maximum value of the series, including the i-th indicator in the j-th year of the territorial units of the country.

Nine indicators were used to evaluate the development levels of territorial units, which are in a direct comparative relationship with the level of development. Therefore, their high level indicates a high level of development of the territorial unit, and vice versa. All indicators are relative. In particular, they are calculated according to some base (for example, according to the number of the population, area of the territorial unit, etc.). Indicators were standardized in the range of 0-1 in calculating the development level. For standardization, the indicator of the given year of the territorial unit was divided by the maximum value of the series of that indicator in the given year. Such standardization is conditioned both by the difference in the measurement units of the applied indicators and by the

deep differentiation of the absolute values of the indicators. In this way, an opportunity to combine and compare indicators was created. In order to calculate the weights of the indicators included in the index, an expert survey was conducted, the sample of which included PhDs in economics, employees holding managerial positions in the Ministry of Territorial Administration and Infrastructure of RA, in the Ministry of Finance of RA and the Ministry of Economy of RA. One hundred thirty-one (131) specialists participated in the survey, of which 106 were PhDs in economics, and 34 were representatives of the listed ministries (9 representatives from the ministries also held PhD degrees in economics). Survey participants rated each indicator on a 1-9 point scale, after which the average scores of the indicators were calculated. Based on the average scores and using the "Analytic Hierarchy Process" method, the weights of the indicators were calculated (the method involves extracting the importance in the model according to the ratios of the calculated average scores). Weights were summed to 100 points for research and analysis purposes. This implies that the indexes of development levels of territorial units will be in the range of 0-100. The 9 indicators and their weights used to assess the development levels of territorial units within the research are presented in Table 1.

**Table 1: The Indicators and Their Weights Used for Evaluating the Developmental Levels of Territorial Units**  
(Source: Authors' calculations)

Indicators	Weights
Gross output per capita	12.719
Average consumer spending of households	11.373
Average nominal salary	10.802
Share of the population not considered poor	11.145
Employment rate	11.335
Population density	9.507
Share of the population considered young	9.622
Access to educational services: number of educators	11.691
Access to medical services: number of medical personnel	11.805
<b>Total</b>	<b>100.000</b>

Based on the evaluations of the development levels of the territorial units, the research will assess territorial development disparities for different countries of the world. Territorial development disparities will be assessed both by observing the maximum, minimum, and average values and trends of the series and by calculating the territorial development disparities index, for which the following formula will be applied (the formula is based on the calculation of the relative standard deviation, which shows the degree of deviation from the average) (2).

$$\text{Eq. (2) } \mathbf{DDI_j} = \sqrt[2]{(\sum(DI_{nj} - \text{mean}(DI_{nj}))^2)/n} \quad | / (\text{mean}(DI_{nj}))$$

Where:

$DDI_j$  - in year  $j$ , the country's territorial disproportionate development index,

$DI_{nj}$  - the development index of the  $n$ -th territorial unit in the  $j$ -th year,

$\text{mean}(DI_{nj})$  - development indexes' average of territorial units of the country in year  $j$ ,

$n$  - the number of territorial units.

It should also be noted that the countries are not directly comparable in terms of territorial disproportionate development indexes, as they are relative indicators for a specific country, which leads to an objective deviation of the indexes between different countries (for example, if two countries have 5 and 10 territorial units, respectively, and one of those territorial units in both countries has the same progressive position compared to the others, and the other territorial units are at the same level of development, then the territorial disproportional development index in the first country will be higher than in the second, but, in terms of content, the situation is the same in both countries, the reason is that the calculation is averaged). However, general conclusions can be made regarding whether the index is high or low. Each country's territorial disproportionate development index is considered independent of other countries' indexes. However, the trends in dynamic change are comparable.

The article will consider 10 countries, which are presented in Table 2.

**Table 2: Countries to be Considered in the Framework of the Article and Their Groupings According to Classifications (Source: United Nations 2023; World Bank n.d.; International Monetary Fund n.d.)**

The Country	UN Classification	World Bank Classification	IMF Classification
<i>Canada</i>	Developed	High income	Developed
<i>Poland</i>	Developed	High income	Developing
<i>Bulgaria</i>	Developed	Upper middle income	Developing
<i>Hungary</i>	Developed	High income	Developing
<i>Finland</i>	Developed	High income	Developed
<i>Serbia</i>	In transition	Upper middle income	Developing
<i>Georgia</i>	In transition	Upper middle income	Developing
<i>Moldova</i>	In transition	Upper middle income	Developing
<i>Kazakhstan</i>	In transition	Upper middle income	Developing
<i>China</i>	Developing	Upper middle income	Developing

Ten (10) countries were included in the sample, which, according to the results of the United Nations classification, the World Bank classification, and the International Monetary Fund classification, are at different levels of development. Such a sample will allow us to observe the experiences of countries with different levels of development.

Based on the presented methodology and the sample of countries, a study of international experience was carried out, referred to below, according to individual countries.

## ANALYSIS

### Canada

The average of the range lengths of the territorial development indexes in Canada (Figure 1) for the period of 2012-2021 is only 12.3, which suggests that the disparities of territorial development in Canada are relatively not high (relativity is determined by the objective features of Canada's territorial inclusion). Territorial development levels of the ten territorial units considered are arranged close enough, and there is no separated territorial unit whose development index deviates significantly from all the others. Looking at Figure 1, it becomes clear that the variation range of regional development indexes in Canada has a decreasing trend, as the minimum indicators of the series have an increasing trend, and the maximum indicators have a decreasing trend. This suggests a positive situation in Canada, at least in terms of reducing the variation range of development indexes, which may indicate a reduction in regional development disparities.

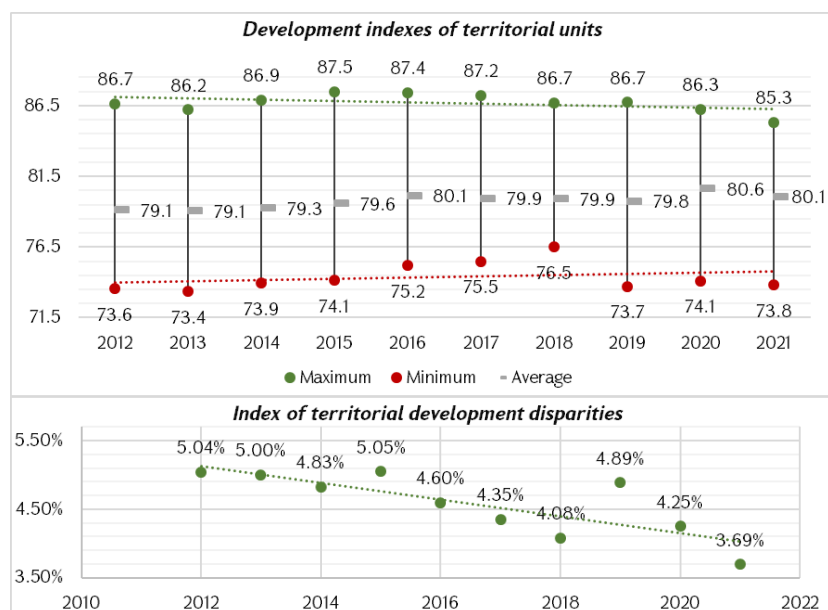


Figure 1: Disparities in Territorial Development in Canada  
(Source: Statistics Canada. n.d.; Authors' calculations)

Examining the indexes of disproportionate territorial development, it becomes clear that territorial development disparities in Canada have a decreasing trend, as the trend of the relative standard deviation of the actual indicators in the series is a curve with a negative slope. In other words, regional development disparities in Canada are relatively not high, and their change has a regressive nature.



## Poland

In Poland, the average length of the fluctuation range of the indexes of territorial development is 21.6, which may indicate the presence of asymmetries in territorial development, but since the sample includes 16 territorial units. The indexes of the latter change gradually in order without major deviations (that is, any territorial unit does not have a progressive position), so it is challenging to consider territorial development disparities to be of a high degree (Figure 2). The trend of changes in the ranges of territorial development indexes is also subject to observation. Both trends of maximum values and trends of minimum values are positive-sloping curves, and the degree of curvature is the same in both cases, which suggests that the length of the fluctuation range has no changing trends.

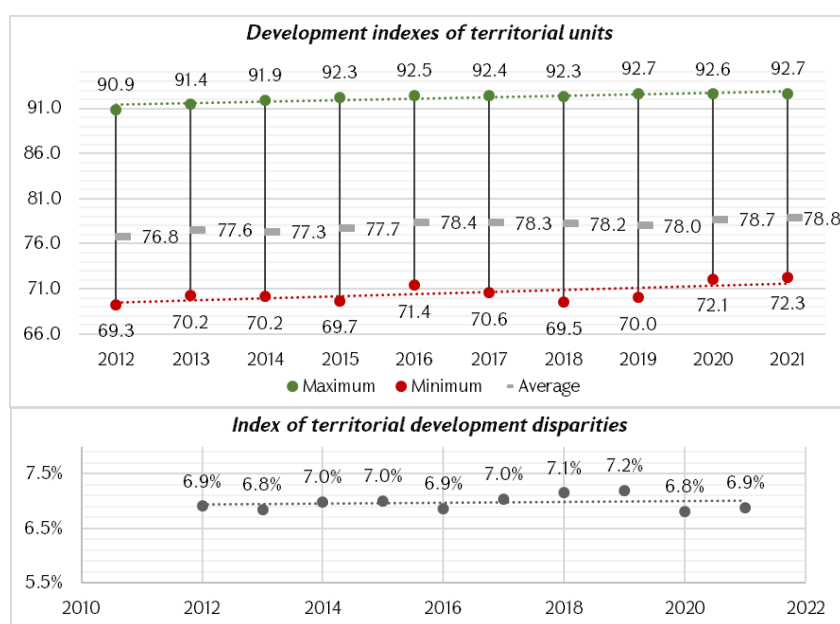


Figure 2: Disparities in Territorial Development in Poland  
(Source: Statistics Poland n.d.; Authors' calculations)

The situation is almost the same concerning the territorial development disparity index. The territorial uneven development index remained cumulatively unchanged between 2012 and 2021, amounting to 6.9% in 2012 and 2021. As a result, the degree of regional development disparities in Poland is stable and not high, and it is neither regressive nor progressive.

## Bulgaria

In 2021, Bulgaria's average territorial development index was 62.2 points (Figure 3). In 2021, the range of the indexes was 55.7-95.5; that is, the average indicator is quite close to the minimum threshold. Such a situation is characteristic of countries with a large number of territorial units, one of which has an apparent progressive development compared to the others. As a result, there is a



medium to high level of territorial development asymmetry characterized by only one socio-economic pole. However, the range length of territorial development indexes has specific decreasing trends because the trend of the maximum values is a curve with a negative slope. The trend of the minimum values has a small but positive slope. In this case, the amplitude of the fluctuation will have a decreasing trend, which may indicate the mitigation of territorial development disparities.

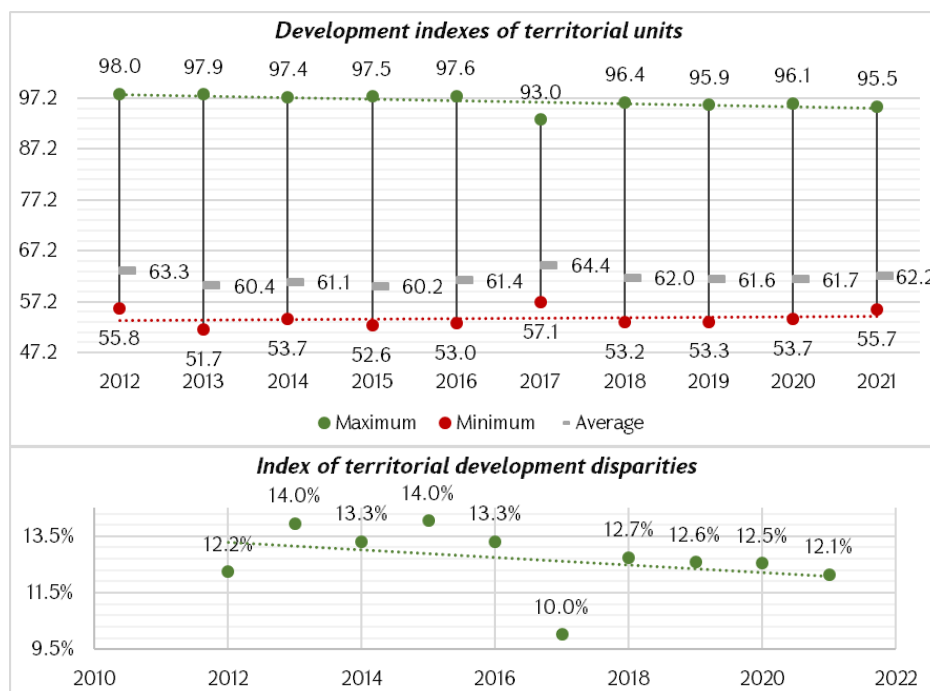


Figure 3: Disparities in Territorial Development in Bulgaria  
(Source: National Statistical Institute the Republic of Bulgaria n.d.; Authors' calculations)

The reduction of disparities is also supported by the fact that the territorial disproportionate development index has clear downward trends. In general, territorial development disparities in Bulgaria are above average and unipolar in appearance, but these disparities are characterized by narrowing.

## Hungary

In Hungary, a total of 8 territorial units were considered, of which the capital, Budapest, has a reasonably high level of development compared to other territorial units, and the others are arranged relatively close to each other (Figure 4). Due to this situation, the territorial development indexes in Bulgaria in 2021 ranged from 56.0 to 89.3 (range length: 33.3), and the average was 64.5. A similar situation was recorded in 2012–2021. In other words, there is a higher than average level of territorial development disparities, in which case the only locomotive is the country's capital. However, it is a positive fact that the fluctuation range tends to decrease at the expense of an increase in the minimum threshold of the range.

It is also interesting to note that the disproportionate development index in Hungary is decreasing year by year, forming a clear trend with a negative slope. This indicates that while the territorial development disparities in Hungary are not low, they still exhibit a decreasing trend.

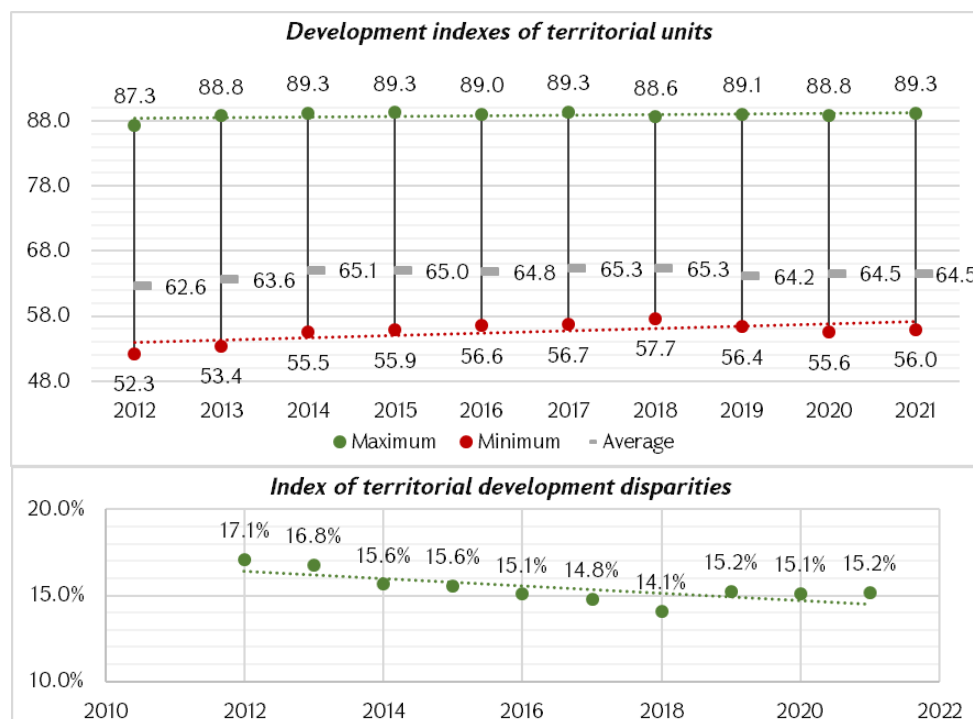


Figure 4: Disparities in Territorial Development in Hungary  
(Source: Hungarian Central Statistical Office n.d.; Authors' calculations)

## Finland

In Finland, specific disparities in territorial development are expressed by the differentiation of the indicators of 2 of the 19 observed territorial units, which have progressive development (Figure 5). The development levels of the remaining territorial units are close enough. It can be noted that there are disparities in territorial development in Finland: the length of the fluctuation range of the development indexes in 2012-2021 was 25.8 on average. It is a positive circumstance that the variation range of territorial development indexes has a slightly decreasing tendency, as the minimum threshold has an increasing tendency and the maximum threshold has a decreasing tendency. The fact that the index of the regional development disparities in Finland has a decreasing trend (it was 10.6% in 2021, compared to 11.3% in 2013) proves that disparities in territorial development tend to reduce. Against the background of the decline of the indicators, a trend with a negative slope was formed. As a result, it turns out that there are disparities in territorial development in Finland, and the differentiation of the development levels of territorial units is continuously decreasing.

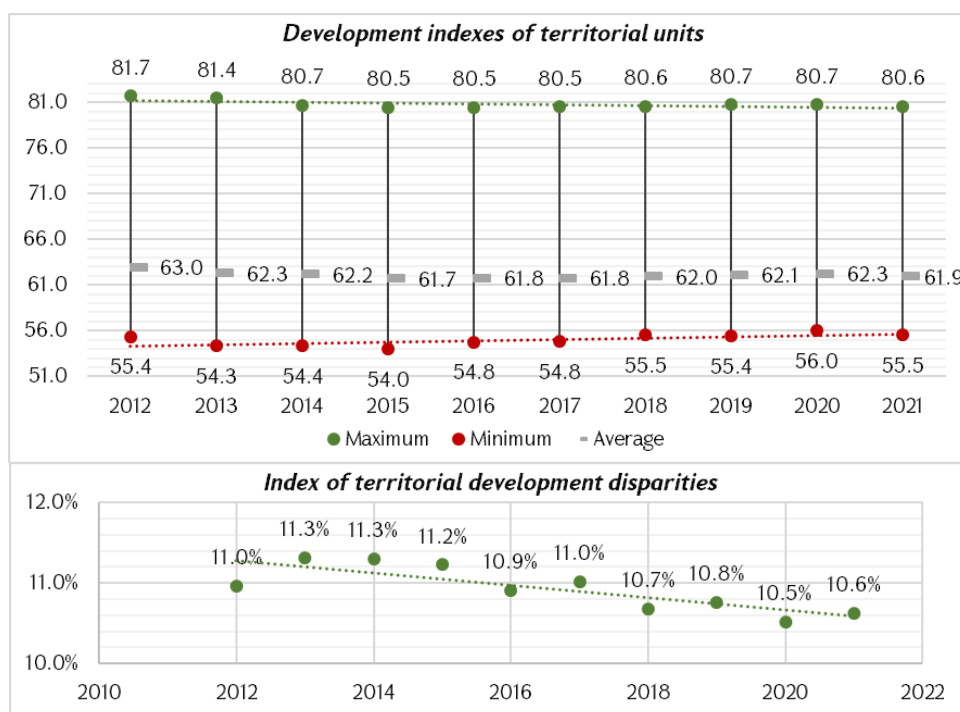


Figure 5: Disparities in Territorial Development in Finland  
(Source: Statistics Finland n.d.; Authors' calculations)

## Serbia

In Serbia, one of the 4 territorial units has progressive development, and the development indexes of the remaining regions are close enough, which proves that there are almost no disparities in territorial development in those 3 regions (Figure 6). Therefore, by and large, the only source of disparities is the high level of development of the Belgrade region. However, considering the length of the variation range of development indexes (22.1 on average), it can be stated that development disparities are not high; this is also reflected in the relatively small level of territorial development disparities index, which was 10.4% in 2021. Territorial development disparities in Serbia show declining trends. The index of territorial development disparities declined in 2012-2021, reaching 10.4% in 2021 compared to 12.9% in 2013. Such a situation proves that 3 out of 4 regions around one locomotive in Serbia have balanced development, and the inconsistencies between the development of the locomotive and those 3 regions are decreasing.

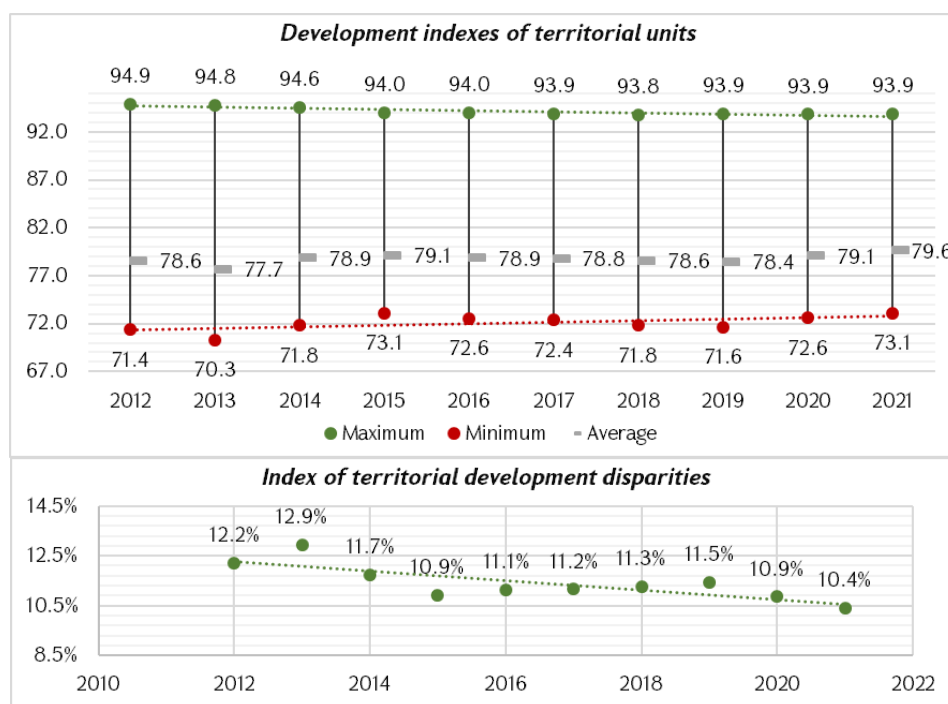


Figure 6: Disparities in Territorial Development in Serbia  
(Source: Statistical Office of the Republic of Serbia n.d.; Authors' calculations)

## Georgia

There is unipolar territorial development in Georgia, as the average of territorial development indices is close to the minimum of the variation range, and the only pole of development is Tbilisi, the capital of the country, whose development index exceeds the second most developed region by 1.3 times (Figure 7). As a result, it turns out that the average length of the index's fluctuation range in 2012-2021 was 34.7, which may indicate that the disparity of territorial development in Georgia is higher than average. It is a positive circumstance that the length of the fluctuation range of the indicator decreased in the considered years, from 35.5 in 2012 to 32.5 in 2021.

The index of territorial development disparities in Georgia was calculated for 11 territorial units, making 13.2% in 2021, which is not a small value compared to the sample of that size, which may suggest that territorial development disparities in Georgia are significant. However, this indicator has clear decreasing trends. It can be noted that despite the above-average level of regional development disparities, territorial development disparities are shrinking in Georgia.

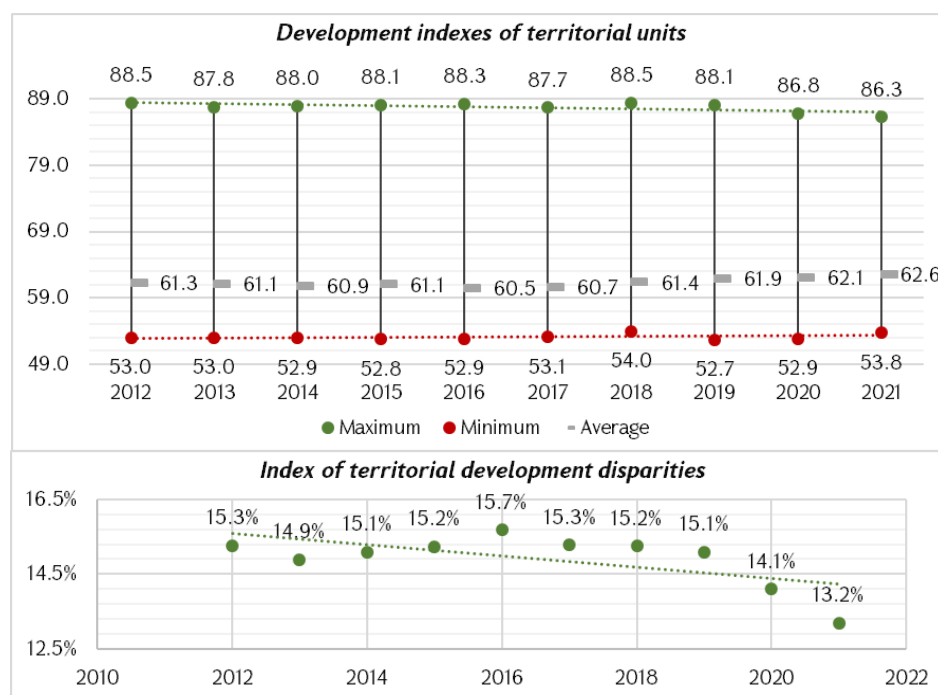


Figure 7: Disparities in Territorial Development in Georgia  
(Source: National Statistics Office of Georgia n.d.; Authors' calculations)

## Moldova

The ratio of maximum and minimum thresholds of territorial development indexes in Moldova is 1.6, which indicates not low disparities in territorial development (Figure 8). Chisinau, the capital of Moldova, is relatively highly developed compared to other territorial units, as the development index in Chisinau is 96.6 out of a possible 100 points. In contrast, the index ranges from 58.7 to 65.5 in other territorial units. The length of the variation range of development indexes has no decreasing trends, as the range spectrum has expanding trends, which to some extent indicates a slight expansion of regional development disparities.

The regional development disparity index showed a specific downward trend in 2012-2018, but the changes in 2019-2021 indicate that the degree of disparities in development has risen by one level again, and it is impossible to distinguish a trend based on 2019-2021 alone. As a result, the asymmetries of territorial development in Moldova can be characterized by a high level to a certain extent, and the existing disparities, according to the ranges of development indexes, have slight expansion tendencies.

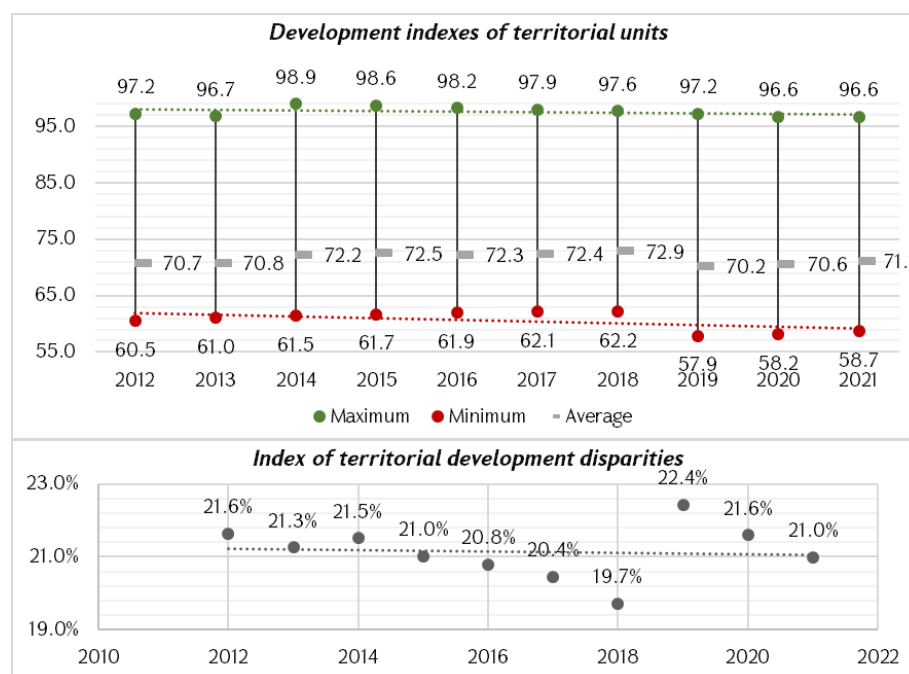


Figure 8: Disparities in Territorial Development in Moldova  
(Source: National Bureau of Statistics of the Republic of Moldova n.d.; Authors' calculations)

## Kazakhstan

As for the fluctuation of development indexes of territorial units in Kazakhstan, a noticeable decrease in the length of the range was recorded in 2012-2021 (Figure 9). For comparison, it should be noted that the length of that range was 27.2 in 2012 and only 18.7 in 2021. The decline in the length of the specified range has formed clear trends, according to which a decline characterizes the asymmetries. The change in the index of territorial development disparities also indicates the alleviation of regional development disparities. This indicator shows a sharp downward trend, decreasing by 4.4 percentage points from 2016 to 2021 and reaching only 8.5% in 2021. As a result, Kazakhstan, at the expense of the formed 2-3 locomotives, has the opportunity to overcome the existing disparities of territorial development, which have clear tendencies of decline.

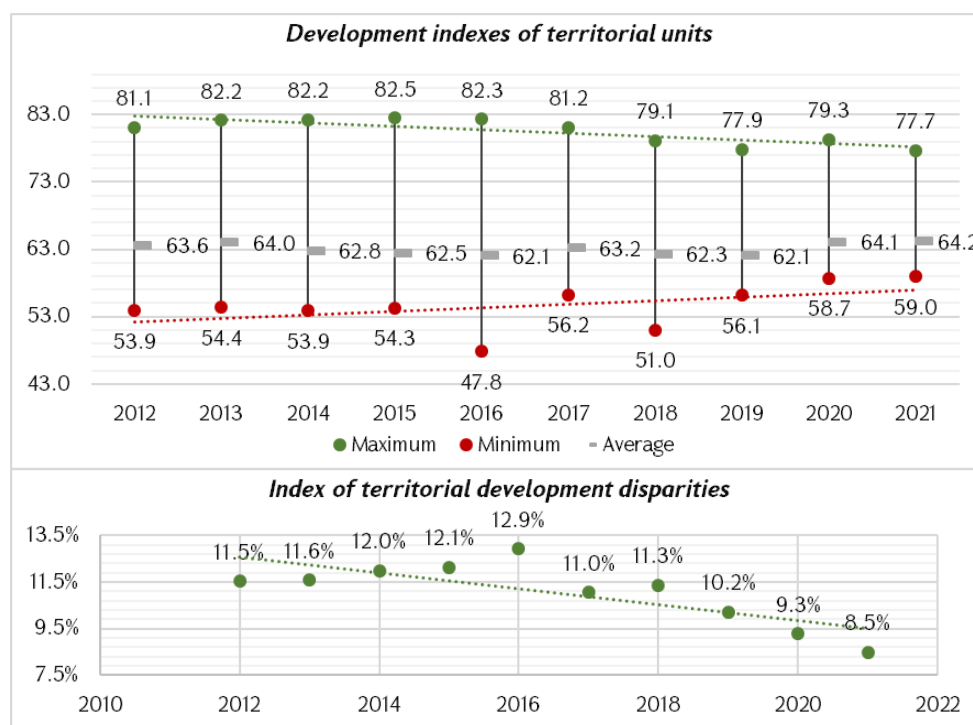


Figure 9: Disparities in Territorial Development in Kazakhstan  
(Source: Bureau of National Statistics of Agency for Strategic Planning and Reforms of the Republic of Kazakhstan n.d.; Authors' calculations)

## China

Thirty-one (31) territorial units were considered to assess territorial development disparities in China (Figure 10). Two regional units, Beijing and Shanghai, have advanced development compared to the other territorial units. The length of the index fluctuation range in 2021 was 27.7, which was only 23.8 in 2012. This indicates that the disparities in territorial development in this country are growing. Considering that there are 31 territorial units in the sample, the index of territorial development disparities is also relatively high. Due to the large number of territorial units, it is difficult to predict an evident change in the index of regional development disparities; however, the trend of that index has a particular positive slope. Based on Figure 10, it is possible to notice that there are average or higher regional development disparities in China, which are progressive.

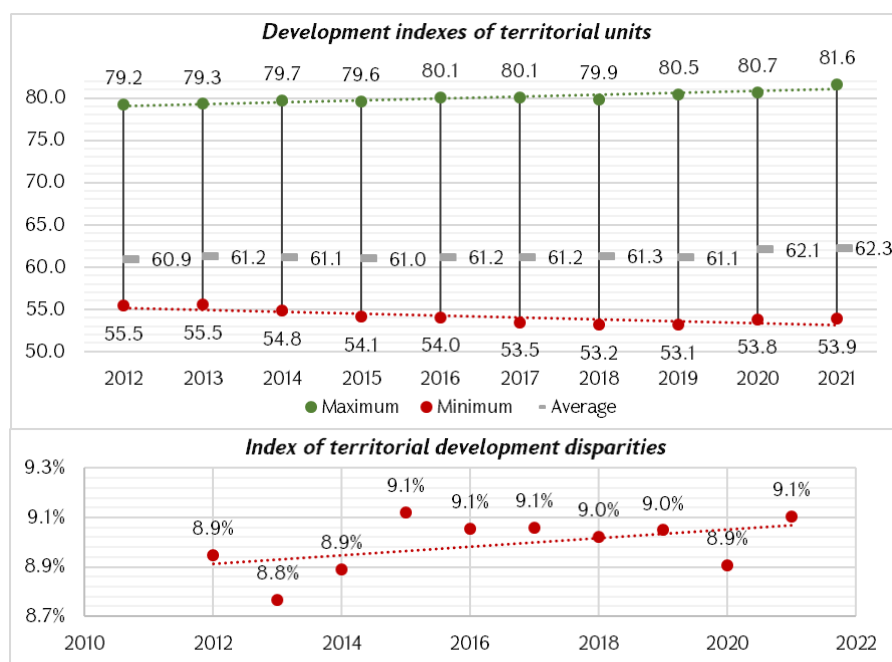


Figure 10: Disparities in Territorial Development in China  
(Source: National Bureau of Statistics of China n.d.; Authors' calculations)

## CONCLUSION

Disparities in territorial development exist in all countries of the world. The governing bodies of each country are trying to develop and implement such policies that will enable not only the neutralization of the consequences of the development disparities but also create conditions that will contribute to the reduction of those disparities.

The policy to ensure balanced territorial development is based on the results of the assessment of disparities in territorial development, which has always been one of the most important issues in the context of filling the existing gaps in the field.

The analysis made in the article is aimed at the solution to that problem. In particular, based on the analysis, an attempt was made to develop a methodology by which the degrees of disparities in regional development can be measured.

The developed methodology is based on the following principles:

1. With the developed methodology, first of all, the development levels of the territorial units included in the country are measured. However, these development estimates are relative; that is, they are calculated in comparison with the development levels of the territorial units of a specific country; therefore, the development levels of the territorial units of different countries are not comparable.
2. The evaluations of the development levels of territorial units are based on the weighted average score of 9 relative indicators, the weights of which were calculated by means of an expert survey conducted among sector specialists. However, in future research, the number of independent variables included in the model can be expanded to include a wider range



of indicators. However, the 9 indicators of the model can already interpret the degree of the social and economic development of territorial units in sufficient detail.

3. In order to assess the degree of disparities in the development of territorial units in a country, it is recommended to calculate the relative standard deviation index of the development estimates of the territorial units in the country, which will show how many percentages the development estimates deviate from the average. That indicator is considered in the article as an index of the disparities in regional development. However, the estimates of the disparities in the regional development using this method are not comparable between different countries because depending on the number of territorial units in the countries, the indicator may deviate due to the fact that the relative standard deviation is broadly an averaged indicator according to the number of territorial units in the countries. As a result, it is preferable to consider the calculated indicator for the countries separately, taking into account the trends of changing the indicator in the given country. In other words, the model reveals the changing tendencies of the asymmetries in the territorial development of a country.
4. The article also proposes a graphical approach for the observation of the development disparities, when the trends of the expansion of development disparities are revealed by constructing the trends of the maximum, average, and minimum indicators of the development levels of the territorial units.

To ensure the applicability of the model developed in the article, the obtained tools were applied to 10 countries of the world for the years 2012-2021. In addition to the application of the model and the method developed in the article, general conclusions about those countries were made, which can be a reference for studying the experience of other countries.

As a result, it was recorded that the regional development disparities of Canada, Bulgaria, Hungary, Finland, Serbia, Georgia, and Kazakhstan have decreasing trends, which is expressed both by the narrowing of the fluctuation ranges of the development levels of the territorial units of those countries and by the decreasing trend of the index of the disparities in territorial development. Such a situation may indicate that the territorial development policies aimed at overcoming the disparities of territorial development in these countries are effective enough, as they create the conditions through which it becomes possible to overcome the disparities between the levels of development of territorial units. Based on this conclusion, it is possible to extract basic principles or tools from those policies, which, if successfully implemented, can also be effective in other countries. However, we should also note that the existing positive dynamics do not mean that the disparities of territorial development in all these countries are small. This claim implies that regardless of the degree of the disparities, they have a decreasing trend in those 7 countries. Among the remaining three countries, regional development disparities in Poland are static, while the degree of regional development disparities in China and Moldova has clearly expanding trends. The situation recorded in the cases of China and Moldova is quite worse because the expansion of territorial development disparities in those countries can be a factor hindering the general socio-economic development, the lack of countermeasures for which can even lead to social disagreements or conflicts.

The developed methodology is applicable to all countries of the world. Moreover, given the nature of the independent variables in the model, it can be calculated practically without restrictions if

the statistics are available. Moreover, since the results of the model are not comparable between countries with different numbers of territorial units, the indicators included in the model can also be replaced by other indicators of the same content.

The model can be a prototype for the development of other models with the same content. The list of the variables included in the model can be expanded. The expansion may involve the inclusion of other social and economic indicators, as well as the inclusion of historical, cultural and environmental factors in addition to socio-economic ones. Another change by which the model can become qualitatively better involves improving the methodology for calculating the weights of the indicators used to determine the level of development of territorial units. In addition to expert evaluation, certain econometric methods can also be used to calculate the weights.

Summarizing the article, it can be recorded that the developed and applied methodology is universal and can be applied to study the experiences of other countries. Such applications can contribute to enhancing territorial development policies in different nations.

## CRediT AUTHOR STATEMENT

**Davit Hakhverdyan:** Conceptualization, validation, writing - review and editing, project administration.

**Gagik Badadyan:** Methodology, software, formal analysis, investigation, resources, data curation, writing - original draft, visualization.

All authors have read and agreed to the published version of the article.

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### **Statement on the Welfare of Animals:**

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# ESTIMATING TAX REVENUES ON ECONOMIC GROWTH FOR SOUTHEAST EUROPEAN COUNTRIES

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**Abstract:** The study aims to identify and empirically analyze the impact of direct tax and indirect tax revenues on economic growth in the transition countries of Southeast Europe, based on panel data for the period 2005-2019. Factors that are included in the study as independent variables are direct tax and indirect tax revenues. In contrast, the dependent variable is defined as the annual GDP growth in percentage, an indicator of economic growth. The econometric approach is OLS regression analysis, random effects regression, and fixed effects regression. The model's reliability has been tested by applying diagnostic tests, such as autocorrelation, normal distribution, and heteroscedasticity. Moreover, the result of the Breusch and Pagan Lagrangian multiplier and Hausman test suggests that the adequate model is a regression with fixed effects. Therefore, the findings with a regression with fixed effects confirm that the revenues from indirect taxes resulted in a positive and statistically significant effect. In contrast, direct tax revenues did not significantly affect economic growth but resulted in a positive sign. The analysis through the econometric model enabled the achievement of the aims set in this paper and the achievement of the final goal, providing observed evidence that the role of tax policy is crucial to encouraging economic growth.

**Keywords:** Economic Growth; Direct Taxes; Indirect Taxes; Panel Data

## INTRODUCTION

Southeast Europe's (SEE<sup>1</sup>) transition economies have essential economic challenges to enhance economic growth and progress across the fiscal policy. As a result of the economic and political transformation, all SEE transition countries were forced to restructure their economies. At the beginning of the transitional phase, these economies adopted various reforms essential for transforming from a planned economy to a free-market economy. Within these reforms, a key place belongs to fiscal policy reforms, including tax modifications aimed at improving the contribution to tax returns and total government returns. Based on the World Bank's regular economic reports for Southeast Europe, using income or expenses as a measure, the government's share of the economy varies greatly in SEE.

Most of the total revenue comes from taxes. Most tax incomes in SEE states are generated by indirect taxation, whereas direct taxes are relatively small, reflecting high unemployment and informality.

Taxation is vital for economic growth and provides governments with the revenue they require to support economic progress. In any state, industrialized or not, resource mobilization is essential to generating a faster economic growth rate. Furthermore, tax revenues play a crucial role in

<sup>1</sup>Southeast European countries: Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia.



growing countries through resource mobilization (Canicio and Zachariah 2014). Therefore, in this context, the study will strive to explain the impact of direct tax revenues as well as indirect taxes (direct taxes are considered personal income taxes, corporate taxes, rent taxes, and interest taxes, while indirect taxes are added value, excise taxes, etc.) on economic growth, using secondary data for the six transition countries in SEE.

**Table 1: Direct and Indirect Revenues in Transition Countries of SEE (Source: Ministry of Finance of Albania, Kosovo, Bosnia and Herzegovina, North Macedonia, Montenegro, and Serbia 2019)**

	Albania		Bosnia and Herzegovina		Kosovo		North Macedonia		Montenegro		Serbia	
	<i>Direct Taxes</i>	<i>Indirect Taxes</i>	<i>Direct Taxes</i>	<i>Indirect Taxes</i>	<i>Direct Taxes</i>	<i>Indirect Taxes</i>	<i>Direct Taxes</i>	<i>Indirect Taxes</i>	<i>Direct Taxes</i>	<i>Indirect Taxes</i>	<i>Direct Taxes</i>	<i>Indirect Taxes</i>
2005	3.3	12.0	3.5	20.1	3.4	16.0	3.5	14.2	6.1	16.7	5.7	17.7
2006	3.6	12.7	3.4	22.5	3.9	16.4	3.9	13.3	4.3	16.1	6.2	16.4
2007	3.7	13.1	3.3	21.5	5.2	15.3	4.0	14.0	5.4	18.2	5.8	16.7
2008	4.0	13.7	3.8	19.7	4.1	16.3	4.2	13.6	6.0	18.2	6.0	16.4
2009	3.8	13.2	3.5	18.3	3.1	16.2	3.2	13.3	5.2	16.7	5.4	15.7
2010	3.6	12.9	3.6	19.3	3.0	17.6	2.8	13.1	3.7	15.9	5.3	15.9
2011	3.7	12.8	3.1	19.4	2.9	19.3	2.8	13.2	3.6	16.4	5.2	15.3
2012	3.4	11.9	3.1	19.4	3.0	18.6	2.8	12.6	4.7	15.9	5.7	15.3
2013	3.3	11.5	3.1	18.5	3.3	18.5	2.9	11.9	4.0	17.6	5.3	15.0
2014	3.6	11.6	3.0	18.7	3.4	18.1	3.2	12.4	4.3	18.9	5.2	15.7
2015	3.8	11.9	3.5	18.5	3.4	19.1	4.4	11.8	4.1	17.2	4.9	15.9
2016	4.1	12.1	3.7	18.4	3.9	20.2	4.3	12.2	4.2	17.3	5.2	16.7
2017	4.1	12.3	4.0	18.2	3.7	20.5	4.3	12.2	3.7	18.0	5.8	16.8
2018	4.3	12.0	4.2	18.7	4.0	19.9	4.9	12.1	5.4	17.9	5.7	16.5
2019	4.9	11.0	3.9	19.4	4.0	19.8	4.4	12.2	5.6	18.9	6.1	16.8

Study as an essential and attractive field for various researchers aims through research questions to argue and give the answer to the following research questions:

**R<sub>Q1</sub>:** How do direct tax revenues affect economic growth?

**R<sub>Q2</sub>:** How do indirect tax revenues affect economic growth?

Undoubtedly, these research questions provide a solid basis for answering these questions, creating a consistent correlation with the hypothesis as follows:

**H<sub>1</sub>:** There is a positive relationship between direct tax revenues and real GDP growth.

**H<sub>2</sub>:** There is a positive relationship between indirect tax revenues and real GDP growth.

This research aims to statistically study the impact of direct and indirect taxes on economic growth in Southeast European economies. The study uses secondary data from the Ministry of Finance publications from the countries involved in the analysis and spans 2005 to 2019. This study will contribute to the literature by providing empirical evidence on tax returns' influence on economic growth and the scientific and practical importance of upgrading tax policy and its effect on economic growth. Studying tax policy and economic growth is expected to help policymakers create growth-oriented programs and make fiscal changes.

## LITERATURE REVIEW

Regarding evaluating the impact of taxation policy on economic growth, the neoclassical viewpoint contends that taxation policy has no long-run influence on economic growth. The Solow model represents an exogenous theory; its creator is Robert Solow (1956). Conferring to this philosophy, the government's fiscal policy will not affect the economy's long-term; even so, a slight variation in economic growth will be caused by key production issues such as workforce, capital, and technological progress, which are defined outside of the (Solow 1956). However, under the neoclassical paradigm, taxes imposed by the government might impact development during the transition to a new stable state if they change the rate of savings and, as a result, the level of investment (Maganya 2020). Other economists expanded the idea further, such as Domar (1957), who developed the Harrod-Domar model, which adds the rate of savings in an economy as one of the long-run factors of the growth rate (Etim et al. 2021).

Endogenous growth theorists, on the other hand, think that economic development is strongminded inside the system and that taxation policy has a consequence on economic growth over time (Scarlett 2011). Romer's (1986) idea of endogenous growth stresses issues such as "spillover and learning by doing", in which firm-specific decisions to invest in capital and R&D, or individual investment in human capital, may have constructive external consequences that benefit the rest of the economy.

According to this paradigm, growth policies supported by government spending and tax returns may provide steady and continual long-term growth (Canicio and Zachary 2014).

Although most theories on the interaction between taxes and economic development boost the notion that tax increases distress economic growth, observed research suggests that tax increases have varying effects on economic growth. Nguyen (2019) observes the influence of direct (DT) and indirect taxes (IT) on economic development in Vietnam from 2003 to 2017, using the ordinary least-squares regression approach. The findings of arithmetic tests suggest that taxes have a beneficial effect on Vietnam's economic growth. Therefore, the outcomes of DT and IT are distinct. Indirect taxes - (IT) seem to have a beneficial influence and contribute to Vietnam's economic development, but DT has an ambiguous effect. Hakim (2020) analyzed the influence and implications of DT and IT on economic growth and total tax returns in a panel of 51 nations from 1992 to 2016. Direct taxes - (DT) were shown to be substantial and adversely connected with economic growth, whereas IT had a positive but insignificant influence on the dependent variable.

Ilaboya and Mgbame (2012) explored the association between IT and economic growth. The study discovered a negative and insignificant association between IT and economic development in Nigeria. Ahmad et al. (2010) studied the empirical connections between IT and economic growth in Pakistan beginning in 1974. The verdicts revealed that IT has an adverse and significant influence on economic growth in the long term, but its coefficients are insignificant in the short run. Although Geetanjali and Venugopal (2017) evaluated the influence of DT contributions on GDP from 2000 to 2016, it was discovered that DT significantly affected GDP growth.

Palaniappan and Arunima (2021) investigated the influence of DT and IT collections on Puducherry economic growth in India from 2007 to 2019, utilizing DT and IT as independent variables and GDP and per capita income as dependent variables to measure economic growth. According to the study, IT revenues have a substantial positive effect on economic growth, whereas DT revenues

have a significant negative effect. Stailova and Patonov (2013) outlined empirical research to examine the effect of taxes on economic growth using EU-27 statistical data from 1995 to 2010. The results showed that DT significantly impacts economic growth since they are more cost-effective for EU Member States. Due to various inequalities in the structure of IT, indirect taxes have a predisposition to reduce budget revenues. Petru-Ovidiu (2015) used an empirical model to examine the effect of tax structure on the evolution of economic growth in six Eastern European countries from 1995 to 2012. The study was based on a series of similar groups that looked at the influence of various revenue sources from DT and IT on economic growth. Thus, according to empirical findings, DT is adversely associated with economic growth, but IT positively affects the dependent variable represented by economic growth.

Golemi and Muço (2020) investigated the effect of fiscal policy on economic growth in Western Balkan countries from 2005 to 2018. According to empirical findings, fiscal revenues positively affect the economic growth of the economies under consideration.

Bazgan (2018) researched indirect taxes' influence on economic growth using statistics from Romania from 2009 to 2017. According to the econometric model, a positive adjustment in the IT structure will significantly affect economic growth over the medium term. On the other hand, economic growth will have a negative effect in the next period after implementing a favorable modification in the structure of DT, then revert to a positive effect over the medium term and sustain that benefit in future periods. Korkmaz et al. (2019) investigated the influence of direct and indirect taxes on Turkey's economic progress. Analytical data revealed that indirect taxes have a positive and substantial effect on economic growth, whereas direct taxes have a negative and significant impact. Korbi and Zani (2021) investigated the effects of direct and indirect taxes on Albania's economic growth. According to the estimates, revenues from direct taxes had the most considerable effect, whereas indirect taxes had no significant effects on the economy from 1993 to 2020. Furthermore, using a monthly time series from 2006 to 2016, Rexha et al. (2021) assessed the effects of direct and indirect taxes on Kosovo's economic progress over ten years. The empirical results revealed that indirect taxes significantly positively affected real GDP in Kosovo.

## RESEARCH METHODOLOGY AND DATA ANALYSIS

### Data

The research is grounded on the investigation of panel data for 2005-2019, in a total of 90 observations. To apply the econometric model, annual data for three endogenous factors were used, respectively, as dependent variables for the increase of Gross Domestic Product (GDP), the economic growth indicator measured by the percentage increase in GDP. In contrast, the level of direct taxes as a percentage of Gross Domestic Product (% of GDP) and indirect taxes as a percentage of Gross Domestic Product (% of GDP) were used as explanatory variables. Statistical data are provided annually for countries in transition in Southeast Europe (SEE). The World Bank, the Ministry of Finance in each respective country, and the Tax Administration of Kosovo provide them. The definitions and descriptions of the selected variables are listed in the table below.

Table 2: Data Definition and Description (Source: Authors' specification)

Abbreviations	Defining Variables	Indicators Expressed in%
GDP <sub>growth</sub>	Gross domestic product growth	Annual GDP growth rate (%)
DT_GDP <sub>rate</sub>	Direct taxes to GDP	Annual DT to GDP rate (%)
IT_GDP <sub>rate</sub>	Indirect taxes to GDP	Annual IT to GDP rate (%)

It is worth mentioning that the data applied in the investigation are processed according to the format defined by the International Monetary Fund and the World Bank. Therefore, many different authors have used data from the same sources and, as such, are considered reliable sources for scientific study.

### Specification of the Model

To elucidate the influence of explanatory variables on the predicted variable in this study, three patterns were used: ordinary least squares (OLS), random effects (RE), and fixed effects (FE). OLS is a statistical technique of investigation that evaluates the association between one or more independent variables and a dependent variable. The multiple regression method analyzes the association between the explanatory and dependent variables. The OLS model checks if such a link exists, and if it does, it intends to use existing information for the explanatory variables to improve the accuracy in predicting the value of the dependent variable. The study used the OLS because it is considered the most applied method due to its simple application and has been used by various experts (Ukpabi 2019; Ezejofo et al. 2021; Garga 2022).

OLS is defined as follows:

$$Y_{i,t} = \alpha_1 + \beta_1 X1_{i,t} + \beta_2 X2_{i,t} + \beta_3 X3_{i,t} + \dots + \beta_k Xk_{i,t} + \epsilon_{i,t} \dots \dots \dots (1)$$

Based on the factors stated above, the equation is as follows:

$$GDP\_growth_{i,t} = \alpha_1 + \beta_1 DT\_GDP\_rate_{i,t} + \beta_2 IT\_GDP\_rate_{i,t} + \epsilon_{i,t} \dots \dots \dots (2)$$

GDP<sub>growth<sub>i,t</sub></sub>: represents Gross domestic product growth, where i = country and t = 2005-2019

X<sub>i,t</sub>: is a vector of explanatory variables (direct taxes and indirect taxes)

β<sub>s</sub>: are the coefficients of the explanatory variables

ε<sub>i,t</sub>: are the variable for estimating residual error in period t

The values of the explanatory categorical variables in a random effects model represent a random sample from many value populations.

The random effects model has the form of the equation as follows:

$$GDP\_growth_{i,t} = \alpha_1 + \beta_1 DT\_GDP\_rate_{i,t} + \beta_2 IT\_GDP\_rate_{i,t} + u_{i,t} + \epsilon_{i,t} \dots \dots \dots (3)$$

The fixed effects model is commonly employed when examining neglected variables that remain constant over time and vary across units. These variables, known as unobserved heterogeneity or fixed effects, are the focus of investigation (Xu et al. 2007).

The equation for the fixed effects model is specified as follows:

$$GDP\_growth_{i,t} = \alpha_1 + \beta_1 DT\_GDP\_rate_{i,t} + \beta_2 IT\_GDP\_rate_{i,t} + \epsilon_{i,t} \dots \dots \dots (4)$$

To determine the adequacy of the applied model, the Breusch-Pagan Lagrangian multiplier test for the random model was employed. Based on these results, it is seen that Chi-bar<sup>2</sup> (01) is with probability  $p = 1.000$ , which proves that the random model is not significant, the basic hypothesis is not confirmed, and the alternative hypothesis is applied by concluding that the adequate model is a fixed effect. To further reinforce the robustness of the suggested econometric model, the Hausman test was also applied to determine whether the fixed effects model or the random effects model is suitable for panel data analysis and to test the baseline hypothesis if the differences in the coefficients are non-systematic. Hausman (1978) suggests that the null hypothesis for the test is an appropriate model of the random effects model, implying that there is no connection between the cross-section and the explanatory variables. The alternative hypothesis shows that the proper model is the fixed effects model. Furthermore, based on the Prob> chi<sup>2</sup>> 0.05 results, we argue that the selection is adequate, and the appropriate model is a fixed effect.

Diagnostic assessments, such as autocorrelation, normal distribution, and heteroscedasticity, have also been performed to ensure efficient, reliable, and accurate prediction of the model to be evaluated. The Wooldridge test was applied to test whether the panel data applied in the analysis of SEE countries has autocorrelation. The results generated in the first adjustment on autocorrelation show that  $F(1.5) = 0.570$  with a probability of  $p = 0.4842$ , proving that the data have no problem with autocorrelation Wooldridge (2002). On the other hand, the Skewness/Kurtosis test was applied to test the data distribution—the use of Skewness and Kurtosis to describe distributions dates back to Pearson (1895).

The results of this test argue that the applied data have a normal distribution, based on the probability of Skewness being 0.0095, while the probability of Kurtosis is 0.0765, with a common probability of 0.0132. Finally, the Modified Wald test by Greene (2000) is applied if the applied data have problems with heteroscedasticity. The results of this test are  $\chi^2(6) = 95.00$  with probability Prob>  $\chi^2 = 0.120$ . This result proves that the data have no problem with heteroscedasticity in the data panel in the fixed effect regression.

## EMPIRICAL DISCOVERIES AND DISCUSSIONS

This section presents and discusses the outcomes of descriptive statistics, correlation analysis, and regression results.

### Descriptive Statistics

The statistics for the data exploited in this study are given in Table 2 as follows: the number of observations, the mean, the standard deviation, and the smallest and largest values.

Table 3: Summary of Statistics (Source: Authors' calculations)

	Obs	Mean	St. Deviation	Min	Max
GDP <sub>growth</sub>	90	3.293333	2.502574	-5.7	8.8
DT_GDP <sub>rate</sub>	90	4.151111	0.937034	2.8	6.2
IT_GDP <sub>rate</sub>	90	16.02111	2.848043	11	22.5

The table above illustrates that the average GDP growth rate in SEE was approximately 3.3 percent, with the lowest decrease rate of -5.7 percent, a maximum growth rate of 8.8 percent, and a standard deviation of 2.5 percent. Direct tax revenue has an average value of 4.1 percent, with a low standard deviation of 0.9 percent, a minimum value of 2.8 percent, and a maximum value of 6.2 percent. This means that direct tax revenues in SEE countries make an average of 4.1 percent of GDP. Unlike direct taxes, the average value for indirect taxes is higher by 16.0 percent, with a standard deviation of 2.8 percent, minimum values of 11, and a maximum of 22.5 percent.

## Correlation Analysis

From the correlation background in Table 3, the connection between economic growth and explanatory variables is examined. Correlation analysis aims to reveal the significant association between explanatory variables and dependent variables.

**Table 4: Correlation Analysis (Source: Authors' calculations)**

Correlation			
	GDP <sub>growth</sub>	DT_GDP <sub>rate</sub>	IT_GDP <sub>rate</sub>
GDP <sub>growth</sub>	1.0000		
DT_GDP <sub>rate</sub>	0.0708	1.0000	
IT_GDP <sub>rate</sub>	0.0906	0.0245	1.0000

Referring to Table 3, the correlation matrix shows that indirect tax revenues and GDP growth have the strongest correlation (.090), confirming a positive link between indirect tax revenues and GDP growth rates. The correlation matrix also suggested a positive correlation (.070) between direct tax revenues and GDP growth. These positive relations of explanatory variables in the dependent variable mean that the higher these correlations are, the more the increase in GDP growth in the economies of SEE countries will be affected. These results also give us solid indications and, at the same time, confirm the test findings for autocorrelation, as no coefficient exceeds the value greater than  $\alpha > 5$ .

## Regression Outcomes

As seen in Table 4, the empirical results achieved by the OLS and RE models are the same. Based on the results elaborated above on determining the adequate model in our case, Hausman test FE and RE  $\chi^2(17) = 11.96$  and with probability  $\text{Prob} > \chi^2 = 0.4026$  suggests that from the applied models, we select the fixed effects model as an adequate model.

Table 5: Estimation Results (Source: Authors' calculations)

	OLS		RE		FE	
Variable	Coefficient	P-Value	Coefficient	P-Value	Coefficient	P-Value
Constant	-4.451546	0,698	-4.451546	0,698	151.5689	0,056
DT_GDP <sub>rate</sub>	-.2039729	0,728	-.2039726	0,728	.3439275	0,652
IT_GDP <sub>rate</sub>	.4315272	0,145	.4315272	0,145	1.50189	0,009
<b>Diagnostic tests</b>						
Observation	90	90	90	90	90	90
F-test	F(17,70)=5.48	P=0.0000	F(17,70)=5.48	P=0.0000	F(17,65)=6.32	P=0.0000
R-squared		0.5708		0.5708		
Adj-R-squared		0.4666		0.4666		
within						0.6232
between						0.5608
overall						0.0713
No. of groups	6		6		6	
Model	OLS		RE		FE	

The fixed effects model data findings show that R-squared within has a coefficient of 0.6232, proving that the data applied to the model have a variation of 63.32 percent. At the same time, R-squared has a coefficient of 0.5608, which shows us that the explanatory variables explain the 56.08 percent increase in gross domestic product defined as dependent variables. The other critical proof is the F-test for the group, which in our case is  $F = 6.32$ , which means that all variables have a value lower than  $F < 10$ , and the model is adequately defined.

Results achieved in the fixed effects model for the variable indirect taxes (IT) presented in the table above resulted in a positive effect and a very high significance level of 99.99% ( $p = 0.009$ ). This shows that the increase of 1 percent of the revenues from indirect taxes increases the gross domestic product by 1.5 percent. These empirical discoveries confirm the second hypothesis that there is a positive relationship between indirect tax revenues and real GDP growth. These results are also consistent with the conclusions of the authors Matallah and Matallah (2017), who analyzed the impact of fiscal policy on economic growth in Algeria throughout the period 1970 to 2015, using the Johansen co-integration test and the vector error correction model (VECM).

Empirical results showed that indirect taxes have a positive long-term impact on real GDP. Vrablíková (2016) investigated the impact of indirect taxes on economic growth in the long run, using data from selected European countries from 1970 to 2011. The outcomes of the empirical breakdown showed that economic growth has been positively affected by indirect taxes. Rexha et al. (2021) addressed the effects of direct and indirect taxes on Kosovo's economic growth, and the results suggested that indirect taxes have a positive and significant impact on Kosovo's real GDP.

Direct taxes (DT), according to empirical findings, showed that they have a positive correlation with economic growth, but it is not statistically significant since the p-value is worth ( $p = 0.652$ ), which means that it has a value greater than 0.10; therefore these results do not confirm the first hypothesis that there is a positive and statistically significant relationship between direct tax revenues and real GDP growth. This is also revealed by the results of Ogundana et al. (2017), which



examined the impact of direct and indirect taxes on economic growth for the period 1994-2013 and concluded that direct taxes have a positive and statistically insignificant relationship with economic growth in Nigeria. In their study, Ziberi and Hodaj (2020) analyzed the impact of direct and indirect taxes on economic growth, especially in the case of Kosovo. Their results showed that direct taxes have a positive but insignificant correlation with GDP growth.

## CONCLUSION

This study researches the theoretical and empirical literature by empirically analyzing the impact of direct tax - (DT) revenues and indirect tax - (IT) revenues on economic growth in the transition economies of Southeast Europe. The smallest squares model, the random effects model, and the fixed effects model were used to apply econometric analysis. Based on the results of the Breusch-Pagan Lagrangian and Hausman tests, it has been determined that the fixed effects model is more appropriate. The panel data, consisting of 90 observations from 2005-2019, were analyzed using the STATA statistical program to examine the relationships between the dependent and independent variables. The level of reliability of hypothesis testing is with the significance of 1%, 5%, and 10%, respectively.

Empirical findings revealed a long-term association between indirect tax revenue and economic growth. Indirect tax revenues showed a positive and statistically significant effect on economic growth at a very high significance level of 99.99% ( $p = 0.009$ ). This shows that the increase of 1 percent of the revenues from indirect taxes increases the gross domestic product by 1.5 percent. On the other hand, direct tax revenues did not significantly affect economic growth but resulted in a positive sign. These results have been analyzed in the context of SEE for the period under investigation and provide solid and consistent indications to reach conclusions. However, it is worth noting that the research also has some limitations as the observed period is short and only has 90 observations. However, these limitations cannot affect the results found, and we believe that they create a solid basis for young researchers, the academic level, and, in particular, for policy-making structures. As there are different views on whether tax policy has been effective in promoting economic growth, this study presents new evidence of the effects of tax policy on economic growth in the transition countries of Southeast Europe during the review period.



## CRediT AUTHOR STATEMENT

**Esat Durguti:** Conceptualization, methodology, software, supervision, validation.

**Luljeta Glogjani:** Conceptualization, methodology, software, data curation, writing - original draft preparation, visualization, investigation, writing - reviewing and editing.

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# EFFECT OF AUTOMATED TELLER MACHINES AND BANK BRANCHES ON THE PROFITABILITY OF BANKING BUSINESSES: EVIDENCE FROM KOSOVO AND NORTH MACEDONIA

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**Abstract:** The core objective of this study is to explore whether the installation of automated teller machines (ATM) and commercial bank branches (CBB) affects the profitability of the banking systems in Kosovo and North Macedonia. Additionally, several influential variables, such as bank capital-to-assets (BCA), inflation (INF), and GDP growth (GDP\_G), were used in the research. More specifically, the research deals with secondary data from 2010 to 2022 using the dynamic data analysis technique generalized method of moments (GMM). The evidence indicates that ATM adoption has a substantial positive influence on bank profitability. Similarly, BCA and GDP\_G have a positive influence on bank profitability. Nevertheless, CBB and inflation have had a substantial negative influence on both metrics. The research's scientific merit and novelty are derived from features unique to earlier studies. The study claims to open up new avenues of debate involving scholars and legislative authorities about identifying influencing components of profitability in the banking business.

**Keywords:** Profitability Proxies; Automated Teller Machine; Inflation; Gross Domestic Product; Generalized Method of Moments

## INTRODUCTION

The recent decade's technological innovations have dynamized and influenced every sector, and the banking business cannot remain indifferent to these developments. To achieve economic sustainability, all countries must establish an efficient and fully operational financial system to be productive and obtain economic growth. This argument, at least in theory, has been validated by theoretical literature and empirical research. In other words, based on how the financial system is organized, the operational activities of the financial system could contribute or not to economic improvement and the creation of broader stability. It is now widely acknowledged worldwide that the financial system considerably impacts the economy and overall development (van Horen and Claessens 2012). Since commercial banks are one of the three components of the financial system, their mission is to facilitate the transfer of monetary funds from surplus to deficit units, offer payment services, offer guarantees, and promote economic development (Durguti, Krasniqi, and Krasniqi 2020).

Starting from this perspective, each country's mission inspires to develop the tendency to have a sound banking system on the one hand and an income-generating banking system on the other, which will be able to survive unexpected adverse shocks and contribute to financial stability.

Banks, like any business, prefer to be successful in their business activities, and they realize this through two sources of income: interest income from loans and other financial instruments and non-interest income derived from multiple charges. Compared to European countries, where interest rates typically decrease, the Western Balkan economies, particularly those under examination, have much higher interest rates. Grounded on the data released by the International Monetary Fund (IMF), the two countries during the observed period had a positive return in Kosovo was 2.57 ROA at the end of 2022, and ROE was 20.66, while in North Macedonia at the end of 2022, the return to ROA was 1.61; the return on ROE was 11.25<sup>1</sup>.

Both indicators, ROA and ROE, were selected as the dependent variables in the study to meet the stated objective as profitability proxies. In contrast, the other determining variables include bank capital-to-assets, ATMs, CBBs, INF, and GDP growth. The analytical technique to examine these variables was decided upon after carefully studying the characteristics of both economies and the data. This investigation aims to discover the factors influencing profitability, particularly in the countries under evaluation. Within this configuration, the study is premeditated to offer the research questions and, based on them, develop study hypotheses. Next are the study's questions:

**RQ<sub>1</sub>:** Adequate management of capital positions, can it affect the improvement or increase in banks' profitability?

**RQ<sub>2</sub>:** Do the banks in Kosovo and North Macedonia set up a sufficient number of ATMs and the expansion of bank branches to influence profitability?

**RQ<sub>3</sub>:** How would inflation and economic growth influence bank profitability?

Therefore, based on the formulation of the research questions, the basis for the design of the main hypotheses of this study has been established. The hypotheses are:

**H<sub>1</sub>:** The setting up of ATMs by banks has a positive effect on profitability.

**H<sub>2</sub>:** The expansion of bank branches has a positive effect on profitability.

The study aims to contribute numerous ways to answer the research questions and confirm the hypotheses presented. First, considering the relatively small number of investigations dealing with the selected parameters, it aims to contribute to extending the scientific literature by using parameters that have received little research attention until now. Second, the examination covers 2010 to 2022, employing the generalized method of moments (GMM) technique, aiming to generate robust and credible information. Finally, regarding policy implications, it intends to contribute to the reform or updating of present legislation to identify the factors that affect or harm the degree of profitability in Kosovo and North Macedonia.

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<sup>1</sup>The web link where the data for ROA and ROE is accumulated is: <https://data.imf.org/?sk=51b096fa-2cd2-40c2-8d09-0699cc1764da&sid=1390030341854>

## THEORETICAL BACKGROUND

### Banking Performance Proxies

The current research stage will focus on in-depth analyses conducted in earlier years on the metric of bank profitability, alongside the defining factors of profitability, which will be addressed in the following section. Nearly every research study conducted up until now has employed financial parameters that are referred to as quantitative metrics for evaluating bank profitability rather than only bank profitability. The success or failure of the banks' operations is described as the key driver of the profit earned by their regular operations. At the worldwide scale, the most widely employed financial ratios for such evaluation are ROA and ROE, which were likewise employed in conceptualizing this research.

From a financial analysis perspective, such financial indicators interpret the accounting value based on cost principles. As such, it is considered that their measurement is not in real-time compared to the market value. Each of these predictors offers insights into the effectiveness and operational success by expressing the proportion of net profit to assets, respectively equity (Tan and Floros 2012; Durguti 2020; Ysayas 2022). Bucevska and Misheva (2017) employed ROA and ROE metrics through the GMM method to discover the factors contributing to bank profitability in the context of the Western Balkans, particularly several selected economies. Employing similar evaluators, the authors Qehaja-Keka, Ahmeti, and Aliu (2023) examined the influence of multiple variables on profitability in Kosovo and Albania, adopting the static regression approach.

### Characteristics of Determining Variables

Many researchers have attempted to analyze various determinants influencing profit and risk exposure accurately. Generally, as explained in the preceding paragraphs, they are evaluated via ROA and ROE. To evaluate their influence, numerous researchers analyzed determinants described as bank indicators on the one hand and macroeconomic indicators on the other. Short (1979) steered one of the earliest investigations, exploring the components determining bank profitability (BP).

The overall outcomes of this investigation demonstrated that market concentration, corporate leadership, and asset growth all exerted a statistically positive influence on BP. Based on this premise, a comprehensive empirical evaluation is made by Brouke (1989), who analyzes a considerable number of bank-specific factors (general expenses, asset growth, liquidity, and equity) and macroeconomic factors (concentration, inflation, and interest rates) to evaluate the influence on BP. Based on the study's discoveries, all internal factors (bank-specific) and market concentration considerably influence ROA and ROE.

In light of this background, the latest studies confirm the substance of the earlier perspectives but now advance it with new factors offered due to innovation and modern technology. Within this mindset, Almaskati (2022) analyzed a sample of 1,245 banks in 66 nations across the globe from 2000 to 2019. The revision comprised a combination of inside and outside factors in over 20 factors, applying the dynamic method to conduct the analysis, and the conclusions of this study indicate that the inside factors are of greater importance than outside factors in predicting profitability. From a different standpoint, Le and Do (2020) examined the influence of credit cards,



ATMs, points of sale, capital-to-assets, non-performing loans, market concentration, GDP growth, and inflation through a cross-country analysis. This analysis has been separated into two panels: developed and developing countries. The research outcome indicates that credit cards, ATMs, and capital-to-equity positively influence BP, whereas inflation and GDP growth have an adverse influence.

Many worldwide and local processes were rendered ineffective by the 2009 economic crisis, and as a result, the legislative framework for monitoring financial organizations was entirely revised (Spahiu, 2022). In this instance, the authors Gržeta, Žiković, and Žiković (2023) examined 433 European banks from 2006 to 2015 to evaluate the effectiveness and BP regulated according to the Basel III framework.

The empirical methodology employed in the breakdown was GMM, which analyzed specific and macroeconomic factors given bank size through examination. The researchers revealed that the Basel III requirements have a diverse impression on effectiveness and productivity in large and medium-sized banks; however, small banks have negative consequences. Through this sense, the Basel III outline places greater importance on corporate governance in terms of efficient leadership based on best practices. In addition, as a result, the authors Durguti and Kryeziu (2021) addressed the case of Kosovo in their study of the role and relevance of corporate governance and their influence on BP, employing the combined OLS and 2SLS method. The research paper examined financial metrics as well as corporate governance components (board size, gender diversity, sovereign committees, and others), and the study's findings revealed that corporate governance components have a positive influence on BP. Practically a comparable technique was employed by the writers Durguti and Gashi (2022) when examining the different aspects of corporate governance as they affect the protection of bank assets. Findings from the investigation reveal that the size of the board, the sovereign committees, and the net interest margin collectively positively influence the bank's asset protection. In the circumstances of North Macedonia, the authors Ćurak, Poposki, and Pepur (2012), through dynamic panel analysis, have applied a sample of 16 banks involving specific and macroeconomic factors. Due to the authors' interpretations, solvency risk and liquidity risk possess a positive influence on BP.

In contrast, macroeconomic factors, economic growth, and banking system reform positively influence BP. Finally, the authors of the paper Spaseska, Odzaklieska, Hristoski, Risteska-Jankuloska, and Risteska (2022) observed the effect of Covid-19 on BP in North Macedonia. Assumptions from the study demonstrated that, despite facing numerous challenges, banks could keep their stability and assistance for clients while capturing a higher level of profit than in earlier periods.

## RESEARCH METHODOLOGY

### Data and Sample

The empirical analysis designed to verify the research premises is based on a sample of 26 observations (T=26) covering the economies of Kosovo and North Macedonia. The data available was gathered through two reliable sources (IMF and World Bank) and spans years from 2010 through 2022. The inclusion of these two economies is because they are close neighbors with solid political, social, and economic relations and numerous economic characteristics associated with them. The justification for focusing on this particular period is caused by two circumstances: initially, banks

started setting up ATMs after 2009, and secondly, data for other variables were inaccessible in the context specified by the IMF. The IFM dataset gathered data for the variables ROA and ROE alongside the World Bank dataset, which was used to gather data regarding BCC, ATM, CBB, INF, and GDP\_G. The selection of specific indicators of the banking industry and macroeconomics has been constructed by analyzing the previous studies of the authors (Durguti 2020; Chhaidar et al. 2022; Fejza-Ademi et al. 2022; Albort-Morant et al. 2022). Lastly, most of these variables are expressed in percentages, except for ATM and CBB, which are expressed in absolute numbers per 100,000 residents.

## Variables

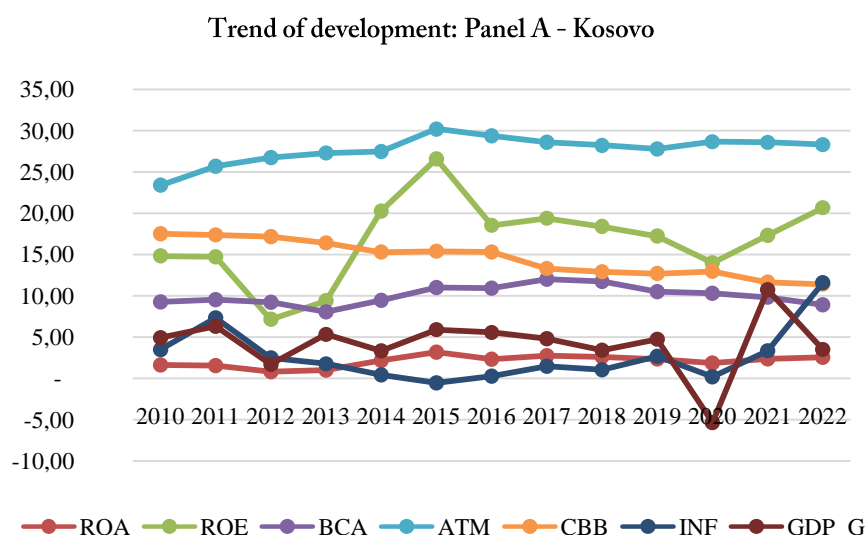
Based upon an examination of specific academics and empirical sources, the research aims to analyze the influence of ATM adoption, CBB, and other variables on the profitability of the banking system for the economy of Kosovo and North Macedonia. Recent developments in technological innovation over the previous decade have altered the strategy of financial businesses and customer behavior to adapt to the new dynamics. Starting within the framework mentioned above, this research intends to evaluate the influence of the parameters selected on the banking system's profitability in two different economies (Table 1 presents the selected metrics).

**Table 1: Description of Variables (Source: Author's compilation)**

Description	Denominations	Abbreviations	Data sources
Dependent Variable	Return on assets	ROA	IMF
	Return on equity	ROE	IMF
Bank Specific Indicators	Bank capital-to-assets	BCA	WB
	Automated teller machine	ATM	WB
	Commercial bank branches	CBB	WB
Macroeconomic Indicators	Inflation	INF	WB
	GDP growth	GDP_G	WB

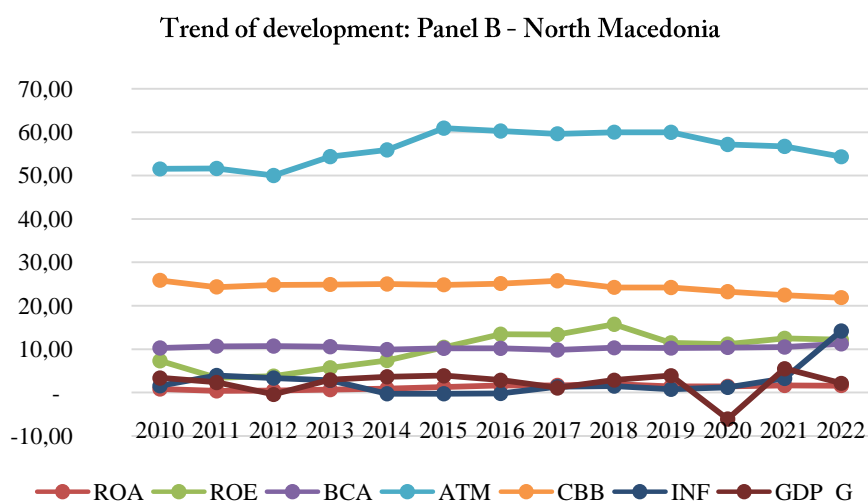
Generally, there is consensus among academics on the definition of profitability measurements, but there is diversity among them when using the measurement method. As a result, the last component of the study evaluates financial indicators, including bank-specific metrics and macroeconomic parameters. Following that, we will highlight a number of the authors who endorse this perspective (Christaria and Kurnia 2016) tested the equity-to-capital and GDP growth (Linares-Mustarós, Coenders, and Vives-Mestres 2018) and similarly applied the GDP growth to evaluate its influence on bank profitability, (Meriç, Kanişlı, and Temizel 2017; Durguti, Arifi, Gashi, and Spahiu 2023) have employed the inflation. ATMs and CBB parameters have been investigated by (Holden and El-Bannany 2004; Valvedere and Humphrey 2009; Durguti, Gashi, and Spahiu 2023; and Le and Ngo 2020). In the same vein, the authors Jolevski and Dicevska (2020) used specific criteria for banks in the setting of North Macedonia.

Hence, based on this research, we developed the idea of including the abovementioned factors (Table 1) to investigate their influence on bank profitability. Graph 1 outlines the development pattern of these factors in Kosovo and North Macedonia.



Graph 1: Indicator's Trend (Source: Author's compilation based on data)

According to Graph 1, which represents the instance of Kosovo, the drivers of profitability (ROA and ROE) are constantly increasing, the number of ATMs and CBB has been decreasing in recent years, and two macroeconomic indicators, INF and GDP\_G, have a more prominent movement.



Graph 2: Indicator's Trend (Source: Author's compilation based on data)

Examining Graph 2 in the setting of North Macedonia reveals an identical decreased number of ATMs and CBBs, as well as a more important trend in macroeconomic variables. Meanwhile, the other indicators in the analysis stay unchanged.

## Model Development

The mathematical modeling technique or approaches employed to examine the interaction of the selected variables, as well as their impact on the profitability of banks in Kosovo and North Macedonia, are presented in this subsection. The method of observation employed is the GMM, which is first adapted to the sample and quantity of observations to acquire the highest-quality, steady results. In this sense, we adopted Le and Ngo's (2020) about selecting parameters and algorithms, but with some modifications by adjusting the data in our actual investigation. When handling panel data via limited observation intervals, GMM is an efficient approach to analyzing undetected variation and degree of endogeneity (Arellano 2000).

The overall algorithm will be demonstrated, and the parameters will be set up accordingly.

$$Y_{it} = \sum_{j=1}^r \varphi_j Y_{i,t-j} + X_{i,t} \beta_1 + w_{it} \beta_2 + \pi_i + \varepsilon_{i,t}$$

Commencing with the overall algorithm, two distinct algorithms will be created based on the parameters specified for the inquiry.

$$\begin{aligned} ROA_{i,t} &= \varphi + \mu(ROA)_{i,t} + \beta_1(BCA_{i,t}) + \beta_2(ATM_{i,t}) + \beta_3(CBB_{i,t}) + \beta_4(INF_{i,t}) + \beta_5(GDP\_G_{i,t}) + \pi_i \\ &\quad + \varepsilon_{it} \\ ROE_{i,t} &= \varphi + \mu(ROE)_{i,t} + \beta_1(BCA_{i,t}) + \beta_2(ATM_{i,t}) + \beta_3(CBB_{i,t}) + \beta_4(INF_{i,t}) + \beta_5(GDP\_G_{i,t}) + \pi_i \\ &\quad + \varepsilon_{it} \end{aligned}$$

Where:  $ROA_{i,t}$  and  $ROE_{i,t}$  - symbolize the dependent factors,  $\beta_1$  to  $\beta_5$  - symbolize the independent factors used in the evaluation,  $i$  - symbolizes the individual effects in the context of the economies,  $t$  - the period 2010-2022, and  $\varepsilon_{it}$  - symbolizes the expected error estimates.

## RESULTS AND DISCUSSION

Analyzing the processed data as an initial conclusion, it can be concluded that the banking system in Kosovo and North Macedonia has resulted in a positive return on ROA and ROE during the observed period. This conclusion is based on descriptive statistics where it is observed that the average return for ROA is 1.655 and ROE is 13.314. This indicates that the regulatory authorities and the leadership structures of these institutions are aware of the dynamics of the financial market and risk exposure on an ongoing basis. Table 2 reflects the summary statistics. After analyzing it, we can underline some conclusions. Regarding the return (ROA and ROE), they have a positive return with 1.655, respectively 13.314, with a standard deviation of 0.38 percent, respectively 3.41 percent. This conclusion can be attributed to the strict regulations at the national level but also to the requirements of the European level.

**Table 2: Summary Statistics (Source: Author's calculations)**

	ROA	ROE	BCA	ATM	CBB	INF	GDP_G
Obs	26	26	26	26	26	26	26
Mean	1.655	13.314	10.221	42.016	19.449	2.634	3.191
Std.D	0.742	5.658	0.852	14.869	5.278	3.498	3.351
Min	0.380	3.410	8.063	23.371	11.403	-0.536	-6.111
Max	3.181	26.59	12.001	60.931	25.84	14.204	10.745

In the case of bank capital-to-assets, it is noted that there is a mean value of 10.221 with a standard deviation of 8.06 percent. From this, it can be concluded that both countries' banking systems are well-capitalized and can withstand possible financial shocks. Meanwhile, in using ATMs during the observed period, the mean value was 42,016, which shows a satisfactory inclusion. The lowest value of inclusion was in 2010 in Kosovo, with only 23.37, while the highest was achieved in 2015 in North Macedonia, with 60.93. Another parameter that is quite debatable in recent times is the expansion or reduction of commercial bank branches, which in our scenario has an average of 19,449 with a standard deviation of 5.27 percent. Furthermore, macroeconomic indicators have resulted in an average of 2.634 inflation respectively 3.191 GDP growth.

**Table 3: Correlation Matrix (Source: Author's calculations)**

	ROA	BCA	ATM	CBB	INF	GDP_G
ROA	1.0000					
BCA	0.2700	1.0000				
ATM	-0.4862	0.2081	1.0000			
CBB	-0.7034	0.0635	0.9141	1.0000		
INF	-0.0056	-0.0924	-0.0989	-0.1391	1.0000	
GDP_G	0.3136	-0.1049	-0.2989	-0.2832	0.0860	1.0000

A correlation coefficient analysis was performed to discover an interaction between the investigated parameters (see Tables 3 and 4). The discoveries of this research indicate that ROA has an important negative association with ATMs and CBBs ( $\beta = -0.4862$  and  $\beta = -0.7034$ , respectively), compared to a positive interaction discovered within ROA, BCA, and GDP\_G.

**Table 4: Correlation Matrix (Source: Author's calculations)**

	ROE	BCA	ATM	CBB	INF	GDP_G
ROE	1.0000					
BCA	0.1406	1.0000				
ATM	-0.5230	0.2081	1.0000			
CBB	-0.6884	0.0635	0.9141	1.0000		
INF	-0.0061	-0.0924	-0.0989	-0.1391	1.0000	
GDP_G	0.3344	-0.1049	-0.2989	-0.2832	0.0860	1.0000

This analysis was also applied with an additional motive to verify if the data have any concerns regarding multicollinearity. As stated by the authors Nguyen and Do (2020), these sorts of issues arise when the coefficients have a value of  $\beta \geq 0.8$ , and in our instance, the highest point of the

coefficient is  $\beta = -0.7$ . Therefore, this proves that we have no concerns about the design of our applied approaches. More importantly, the outcomes for ROE measures reinforce an argument about the causal connection between them and multicollinearity.

Apart from these tests, we employed the vector inflation factor (VIF) analysis to reinforce the data stability obtained by the GMM approach further. In cases where panel data is handled, the VIF analysis appears to be one of the most vital, and the outcomes of this analysis have a mean of 3.49, proving that the data do not have any of these concerns. Pituch and Stevens (2016, 75) emphasize that if the outcomes of this test (respectively the coefficient) are more than  $\beta \geq 0.5$ , the data have multicollinearity obstacles. Beyond that, we incorporated Breusch-Pagan/Cook-Weisberg to determine if the data had a problem with heterogeneity, and the result is ( $p = 0.2826$  for ROA, and  $p = 0.5679$  for ROE), confirming that their value is more than  $\alpha \geq 0.05$ . Upon the performing of these inspection tests, the Wald test was performed to determine if the data adequately fitted the model ( $\beta = 95.18$ ;  $p = 0.0000$  for ROA metrics,  $\beta = 65.61$ ;  $p = 0.0000$  for ROE metrics). The results indicate that the data and the employed approach provide an excellent fit. Lastly, we employed the Sargan J-test to verify whether our review appropriately included the variables' instruments. The outcome should be insignificant.

The proof obtained from the evaluation in both instances resulted in a value higher than  $\alpha \geq 0.05$ , allowing us to conclude that the model is fit and sound.

**Table 5: Empirical Results (Source: Author's calculations)**

	GMM - ROA		GMM - ROE	
	$\beta$	$p \geq [z]$	$\beta$	$p \geq [z]$
BCA	0.1575	0.063	.4406	0.539
ATM	0.0554	0.002	.2767	0.061
CBB	-0.2437	0.000	-1.500	0.001
INF	-0.0332	0.078	-.2480	0.040
GDP_G	0.0181	0.325	.0853	0.604
_cons	2.4456	0.019	25.5818	0.004
<b>Screening tests</b>				
Observation	26	" - "	" - "	" - "
Wald chi2	95.18	0.0000	65.61	0.0000
$\chi^2$ -test	1.151	0.2826	0.331	0.5679
VIF Mean	3.49	" - "	3.49	" - "
Sargan J- test	17.167	0.8414	18.689	0.7683

Note: Significant, correspondingly, at 1, 5, also 10 percent.

As can be seen from the results of Table 5, of the five parameters applied in the investigation according to the first model (return on assets) with significant positive influence are BCA and ATMs, compared to the second model (return on equity) that we have a change where BCA and GDP\_G positively influence. While negatively influencing the bank profitability are CBBs and INF in both approaches. The BCA coefficient ( $\beta = 0.1575$ ,  $p = 0.063$ ) proved statistical importance to ROA.

The outcome of this examination demonstrates that the greater this indicator, it will reflect the increase in banks' profitability. The results are consistent with the outcomes of Le and Ngo (2020), who employed the GMM technique to examine the banks of 23 countries with cross-sectoral data from 2002 to 2016. The authors discovered that BCA proved to have a considerable favorable

influence with a significance level of 99.9 percent. ATM usage appears to have an important positive effect on profitability, emphasizing that banks with the greatest number of ATMs may influence the reduction of operational costs, branch maintenance costs, human capital costs, and other associated costs. Based on the ATM coefficients ( $\beta = 0.0554$ ,  $p = 0.002$  for the ROA estimator, and  $\beta = .2767$ ,  $p = 0.061$  for the ROE estimator), the results obtained are comparable to the outcomes of the authors Akhisar et al. (2015) as well as Le and Ngo, (2020), who strongly advocate that the widespread utilization of ATMs affects the increase in profitability as a reflection of the reduction of operating costs on the one hand, and the use of bank cards as an innovative product.

The following component is CBBs, which significantly affect profitability based on tests performed and analysis. This inference has its foundation in the coefficient ( $\beta = -0.2437$ ,  $p = 0.000$  for ROA and  $\beta = -1.500$ ,  $p = 0.001$  for ROE), which at first indicates that a decrease in the number of branches by banks harms profitability. The phenomenon of commercial banks reducing branches in recent years is also represented in (Graphs 1 and 2), where there is a tendency to decrease in both countries. The findings presented here are consistent with those of Shuli, Yangran, and Yong (2022), who employed the Error Correction Model and the Granger casual assessment. Their conclusions demonstrate that minimizing CBBs and implementing Fintech harms profitability. Additionally, macroeconomic indicators, particularly inflation, revealed substantial negative consequences in both estimators, as demonstrated by the coefficients ( $\beta = -0.0332$ ,  $p = 0.078$ , respectively  $\beta = -.2480$ ,  $p = 0.040$ ). Such an outcome was expected, considering that inflation increased at a record rate in the last two years (by 11.58 percent in Kosovo at the end of 2022 and 14.20 percent in North Macedonia at the end of 2022). The study's conclusions are consistent with the early evaluations of the authors Durguti et al. (2023) and Isayas (2023), who argue that any double-digit inflation rate increase harms profitability.

Finally, the GDP\_G variable has been found to have an insignificant impact on profitability, as confirmed by the coefficients ( $\beta = 0.0181$ ,  $p = 0.325$ , and  $\beta = .0853$ ,  $p = 0.604$ ). Findings for this variable contradict the conclusions of the authors, Isayas (2023) and Durguti (2020), who claim a beneficial connection between these two factors.

### **Distinctive Outcomes of Kosovo's and North Macedonia's Banking System**

An identical empirical approach was employed via GMM to obtain the most accurate information about the degree of profitability of the banking system for each of the two distinct countries in the research. An additional motivation is to examine the countries in panels A and B independently and discover if the characteristics employed in the study reflect a difference between Kosovo and North Macedonia. As demonstrated by the information in Table 5, in Kosovo (Panel A), BCA, ATMs, and GDP\_G have an important positive influence, whereas CBBs, even in the individual case, harm profitability. The discoveries of the ROE variable confirm a significant positive connection via BCA, ATMs, and bank profitability. Indeed, when the results of Table 4 are compared, there is no significant difference on the econometric side.



Table 5: Empirical Results for Panel A and B (Source: Author's calculations)

Panel A - GMM					Panel B - GMM				
	ROA		ROE			ROA		ROE	
	$\beta$	$\rho \geq [z]$	$\beta$	$\rho \geq [z]$		$\beta$	$\rho \geq [z]$	$\beta$	$\rho \geq [z]$
BCA	0.4742	0.002	3.7596	0.024	BCA	0.6869	0.008	3.2582	0.079
ATM	0.2601	0.067	2.9634	0.069	ATM	0.1416	0.059	0.9454	0.090
CBB	-0.1631	0.036	-0.1890	0.816	CBB	0.0257	0.871	0.2038	0.878
INF	0.0529	0.269	0.6454	0.221	INF	0.1216	0.177	0.6385	0.047
GDP_G	0.0212	0.072	0.1906	0.441	GDP_G	0.0563	0.096	0.2768	0.542
_cons	6.7075	0.056	90.6618	0.101	_cons	0.9206	0.014	19.4583	0.093
Screening tests									
Obs	11	" "	11	" "	Obs	11	" "	11	" "
Wald chi2	67.33	0.0000	33.15	0.0000	Wald chi2	30.83	0.0001	22.41	0.0022
$\chi^2$ -test	2.722	0.0990	1.567	0.2111	$\chi^2$ -test	2.563	0.4546	2.642	0.4248
VIF Mean	2.22	" "	2.22	" "	VIF Mean	3.26	" "	3.26	" "
Sargan J-test	3.3625	0.9963	3.3679	0.9962	Sargan J-test	2.8751	0.9983	2.8378	0.9985

Note: Significant, correspondingly, at 1, 5, also 10 percent.

In North Macedonia, however, they proved a more substantial difference than the data reported in Table 4. According to the outcome of Panel B, it is evident that the predicted variable ROA drives an imperative connection between BCA, ATMs, and GDP\_G. Conversely, Commercial bank branches have proven to be insignificant compared to the instance of Kosovo, as well as the conclusions displayed in Table 4. A further examination that supports Panel A's evidence and matches up to the instance of North Macedonia in terms of the dependent variable ROE has revealed significant positive associations between BCA, ATMs, and GDP\_G.

## CONCLUSION

The overall objective of this study was to examine the influence of determining parameters on the banking sector's profitability in Kosovo and North Macedonia, with a particular emphasis on the time frame from 2010 to 2022. The study employed a mixture of factors characterized as banking industry-specific and two macroeconomic features. This study provides a new theoretical and empirical insight in light of a shortage of literature on these two countries, particularly for decisive applied factors. Both dependent factors, ROA and ROE, were computed employing the GMM estimation method, whereas the explanatory factors, BCA, ATMs, CBBs, INF, and GDP\_G, offered us a few essential statistical insights. The degree of importance and reliability of ROA, ROE, and other components involved in the study have been disclosed by the GMM. The examination revealed that BCA, ATMs, and GDP\_G, according to both metrics (ROA and ROE), have a statistically positive important effect on profitability. In the meantime, the statistical examination of CBBs and INF exposed a statistically important adverse association versus return on assets and equity.

Furthermore, the study was more motivated to compare Kosovo and North Macedonia if the selected parameters might have caused notable differences between them. The outcomes reported in



Table 5 demonstrate that Kosovo's instance is almost entirely consistent with the results presented in Table 4. In contrast, the instance of North Macedonia differs slightly from the overall analysis in Table 4. This investigation's discoveries benefit various actors, including legislators, supervisory bodies, banking leadership structures, and other stakeholders. The study discoveries of each of these highlighted categories will be beneficial in explicitly recognizing the features that influence profitability. Undoubtedly, the paper has limits, highlighting that it only briefly comprises two countries. However, it analyzes it in a highly accurate method and assesses the tendency of these factors. Finally, the research recommends that future research incorporate additional financial ratios, such as specific and macroeconomic statistics, and include other countries with similar features. Those mentioned above will enable us to conduct even more accurate and long-term research on the factors that affect profitability.

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# A BIBLIOMETRIC ANALYSIS OF HEALTH DIPLOMACY RESEARCH BASED ON VOSVIEWER AND CITESPACE

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**Abstract:** Research on health diplomacy not only deepens global health governance but also enhances the sharing of information and resources in the field of public health. A bibliometric study was conducted on health diplomacy works published between 1993 and 2023 with “health diplomacy”, “medicine diplomacy”, “health and foreign policy”, or “vaccine diplomacy” as the keywords. VOSviewer and CiteSpace were used to perform the bibliometric analysis. A total of 2,216 articles from the Web of Science database were analyzed. Results found that the United States held a prominent and influential position in health diplomacy studies, followed by China, the United Kingdom, and Australia. The London School of Hygiene & Tropical Medicine, the University of Toronto, and Harvard University were the top three research institutes for health diplomacy. The article from Feldbaum et al. (2010) served as the representative and symbolic reference. These findings showed that topics including power, Covid-19, security, soft power, WHO, vaccine diplomacy, and governance, though with shorter spans, were the focal points in recent years. In addition, health diplomacy research exhibited interdisciplinary, cross-cutting, and temporal characteristics closely related to factors such as politics, economics, environment, and public goods.

**Keywords:** Health Diplomacy; Bibliometric; Developmental Trends; Research Hotspots; VOSviewer; CiteSpace

## INTRODUCTION

Public health, though regarded as a concept of the modern world, can be traced back to the beginnings of human civilization. With the help of the Industrial Revolution, the 18th century was considered the era of modern public health, which was considered a domestic issue in most cases. However, over the past few decades, frequent public health emergencies, the involvement of multi-stakeholders, and the developments of medical science have driven public health professionals and diplomats to think of health as foreign policy. In the mid-19th century, due to the rising concern about infectious diseases, international health diplomacy appeared, which, to some extent, can be regarded as the beginning of health diplomacy.

Fidler (2006) pointed out that the growing prominence of public health in all fundamental governance functions served by foreign policy underscores the need for “health as foreign policy”, which is evident in the United Nations (UN) reform proposals put forth by the Secretary-General, which recognize the crucial role of foreign policy in promoting public health as a core aspect of overall public health initiatives. It was also added that the emergence of “health as a foreign policy” presents both opportunities and risks for health promotion. Jin (2002) believed that public health diplomacy narrowly refers to diplomatic activities conducted by national representatives, including diplomatic and health departments, through peaceful means, such as negotiations, to address

transnational public health issues, while broadly, the actors involved in public health diplomacy include not only diplomatic and health departments but also intergovernmental organizations and non-governmental organizations. Feldbaum and Michaud (2010) stated that varied definitions of health diplomacy reflect different perspectives on utilizing health interventions and political neutrality. The alignment of foreign policy objectives often shapes the level of attention and resources allocated to addressing health challenges on the global stage.

According to Youde (2010), health diplomacy primarily concentrated on international cooperation to safeguard human and commercial interests from the spread of specific infectious diseases in the past, while at present, it serves as a political activity that improves both health courses and international relations. Horton (2007) suggested that the combination of “health” and “diplomacy” has the potential to shift the focus of international relations toward health as a central driver of political cooperation and advancement, while Feldbaum and Michaud (2010) believed that linking “health” and “diplomacy” can refer to the instrumental use of health for achieving foreign policy and diplomatic objectives that are unrelated to health concerns or interests. According to Kickbusch and Ivanova (2012), the transition in health diplomacy during the late 1980s and 1990s proved the recognition of the need for more effective and efficient responses to global health challenges, as well as a growing awareness of the importance of engaging non-state actors in health diplomacy efforts. Almeida (2020) proposed that in terms of international relations, foreign policy, and diplomacy, the neglect of the health field has become the barrier that blocks the capture of changes in this context. In addition to functioning as a soft power in foreign policy, health also acts as a smart power, providing resources and strategies. As for He et al. (2010), expanding the conceptual framework from “health within foreign policy” to “the influence of foreign policy and development strategies on health” will bring greater value and inclusivity to the understanding of health diplomacy. This approach allows for a more comprehensive and interconnected comprehension of health diplomacy. Chattu et al. (2019) suggested that as health diplomacy provides a platform for collaboration between stakeholders from the public health and political sectors, new skills to address the challenges of transboundary coordination are badly needed to negotiate favorable health outcomes amidst competing interests, particularly in the context of economic globalization. Afshari et al. (2020) proposed that health diplomacy serves as a political framework to improve the health of targeted populations and strengthen governmental relations between collaborating countries. By employing diplomatic strategies and negotiations, health diplomacy seeks to address health issues cooperatively and mutually beneficially, fostering partnerships and facilitating the exchange of knowledge, resources, and best practices. By examining the historical literature on health diplomacy during pandemics, Fazal (2020) posited that an exclusive reliance on localized health diplomacy would likely decrease effectiveness as pandemics occur more frequently. Fazal advocated adopting a bilateral or global cooperative approach to health diplomacy to address the imperative for global mitigation and containment endeavors. In the context of the Covid-19 pandemic, Javed and Chattu (2020) emphasized the positive usage of health diplomacy, saying that it should be used to mitigate tensions and create a possibility for political dialogue and cooperation rather than political manipulation or a trigger for geopolitical conflicts. Under the same context, Kickbusch and Liu (2022) presented two types of health diplomacy: solidarity and equity-oriented, while the other gives prior concern over geopolitical advantage.



Though the first International Sanitary Conference in 1851 witnessed the initiation of international health diplomacy, the concept of global health diplomacy (GHD) first appeared in the late 1970s when Peter Bourne proposed the term “medical diplomacy”. According to Labonté and Gagnon (2010), this concept requires the efforts of governments, multilateral organizations, and civil society actors to strategically incorporate health considerations into foreign policy negotiations. Global health diplomacy has emerged as a significant area of research and practice in international relations. Several countries, including China, Japan, South Korea, the United States, India, Indonesia, Thailand, and others, have actively engaged in global health diplomacy to enhance their international influence and cooperation with other nations. China’s health diplomacy can be traced back to the 1960s, with particular attention to Africa; considering China’s involvement in global health governance and the frequent public health emergencies, research on its health diplomacy is not rare. Youde (2010) pointed out that by offering medical assistance in African nations, China enhances its reputation among developing countries and strengthens its status as a viable alternative to Western influence.

Additionally, these efforts ensure support for China within international organizations and secure access to vital natural resources required for the country’s sustained economic growth. At the same time, Zhao and Jin (2017) and Chen and Tan (2022) regarded China’s health diplomacy as an effort to provide innovative global health governance, strengthen friendly relations, and counter Western media criticism. Japan’s global health diplomacy has also been discussed by Li and Gao (2022), Wang (2022), and Yan (2022) both in the regional and global spectrum, showing that Japan’s increased attention and investment, whatever regional or global on health diplomacy, is performed under the political strategy, aiming to either maintain its status as a leading nation or counter China’s presence. Liu (2020) and Li (2021) labeled South Korea’s Covid-19 policy as a proactive and soft power-enhancing strategy.

Jin (2012) examined the historical stages of US health diplomacy, saying that the US has long recognized the significance of health in its diplomacy and has integrated health diplomatically to maintain its global leadership. Other than that, Guan and Wan (2022) pointed out that India’s engagement in health diplomacy during the Covid-19 pandemic is the utilization of its position as the “world’s pharmacy” to engage in “vaccine diplomacy” globally, which demonstrates the interconnectedness of health, foreign policy, economy, and trade. Wu (2022) analyzed Indonesia’s health diplomacy during the pandemic, noting its achievements in vaccine coverage and highlighting limitations in comprehensive capabilities compared to traditional middle powers. Thaiprayoon and Smith (2015) explored Thailand’s experience balancing trade and health policies and proposed the INNE model for capacity development in global health diplomacy. Global health diplomacy requires cooperation and coordination among multi-stakeholders; therefore, the involvement of supra-state actors in health diplomacy from various perspectives has been discussed by many scholars. Deng et al. (2020) pointed out that globalization has led countries to prioritize global health governance as a crucial strategic concern. The BRICS nations, being representatives of emerging economies, are gaining prominence within global health governance. Lamy and Phua (2012), Du et al. (2020), and Djalante et al. (2020) emphasized the role of ASEAN in terms of GHD, saying that reinforced mechanisms and greater integration are needed to strengthen health governance in Southeast Asia. Luh and Baltag (2022) claimed the importance of health attachés in the EU considering the worldwide challenges of Covid-19.

By reviewing the previous studies on health diplomacy, there is no doubt that studies on the relationship between health and diplomacy in the context of globalization or de-globalization are and will continue to be one of the prior concerns for researchers. However, in order to identify and analyze the collaboration networks among authors, institutions, countries, emerging research trends, and evolving topics in the field of health diplomacy, additionally provide powerful visualization features that transform complex data into intuitive and easily understandable charts and graphs, the application of VOSviewer and CiteSpace is relatively rare. In order to address this research gap, this study undertook a thorough quantitative analysis and visual examination of collaborative networks involving countries and institutions, as well as the analysis of co-citation references, keyword clustering, and keyword citation bursts in the field of health diplomacy.

## MATERIALS AND METHODS

### Data Sources

To uphold the scientific authority and integrity of the data source, this research literature is sourced exclusively from the core collection of the Web of Science (WOS) database, the most widely used and authoritative database of research publications and citations.

The relevant data were retrieved by topic = "health diplomacy", "medicine diplomacy", "health and foreign policy", or "vaccine diplomacy", with a period from 1993-2023, and the document type was journal articles. After data retrieval and cleaning duplicated and irrelevant articles, this study obtained 2,216 published papers in the 30-year scope.

### Research Method

Bibliometric methods have been utilized to quantitatively analyze written publications, providing valuable insights into the intellectual landscape of specific research fields. This approach facilitates a structured literature review, enabling the extraction of information and identification of patterns within the scholarly domain (Ellegaard and Wallin 2015). VOSviewer and CiteSpace are widely utilized tools for bibliometric visualization and analysis, offering researchers powerful capabilities to explore and understand scholarly literature (Markscheffel and Schröter 2021). VOSviewer is a software tool used for visualizing and analyzing bibliometric networks. It enables researchers to explore and understand the structure and patterns of scientific literature based on bibliographic data such as citations, co-authorships, and co-occurrence of keywords (Waltman, Van Eck, and Noyons 2010). CiteSpace is a Java-based visualization software that employs time-based and co-citation analysis to uncover intellectual landscapes and pivotal papers (Chen 2006).

In this study, VOSviewer was used to analyze the cooperation networks, where the cooperation among nations and institutes was presented, respectively. CiteSpace, which has an advantage in trend description and adaptable parameters, was applied to present the visualization of subject categories, keywords analysis, and reference co-citation analysis. Based on the VOSviewer and CiteSpace, a quantitative analysis of the literature on health diplomacy was conducted to explore the cooperation network, hotspots, and future trends in the field of health diplomacy.

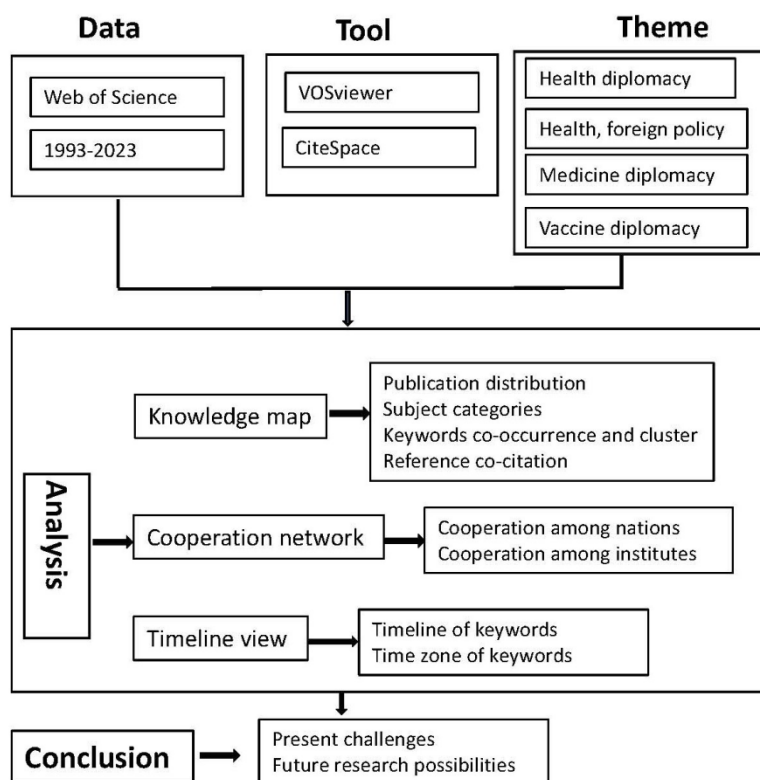


Figure 1: Technical Road Map (Source: Authors' illustration)

## DESCRIPTION OF THE KNOWLEDGE MAP BASED ON STATISTICS

### Literature Development Trends

According to the analysis of the statistics obtained from the Web of Science, the total number of publications in the field of health diplomacy comes to 2,216, and Figure 2 illustrates the number of its annual publications from 1993 to 2023. In general, it shows a rising trend, indicating that research on health diplomacy has gathered more attention in the past thirty years. It is found that quite limited attention was given to this field at the beginning of the 1990s, then a steady rise after 2003. Since 2014, the publication amounted to more than 100, even though with a temporary drop below 100 in 2016, illustrating an increasingly indispensable relationship between health and diplomacy. The top three years range from 2020 to 2022, a total of 715 publications were recorded, accounting for 32.27% of the sample size, with the highest publication in 2022, which, to some extent, closely attributed to the impacts to both the health governance and geopolitics brought by Covid-19 pandemic in the past three years, demonstrating that the role of health diplomacy has undergone great transformation where the demands and expectations on health diplomacy in the international community are unprecedented high.

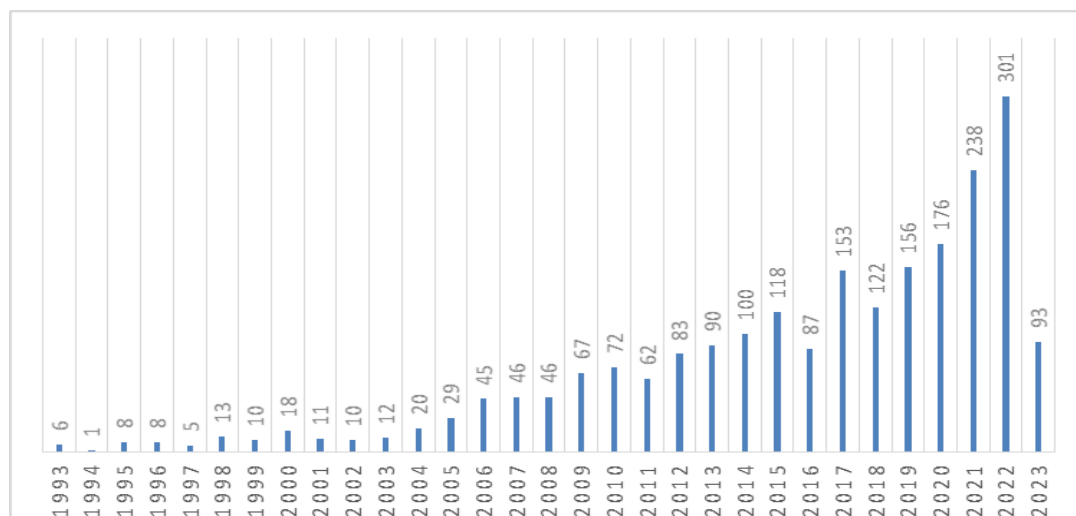


Figure 2: Diagram of Publication Trend (Source: Authors' illustration)

### Distribution of Subject Category

Each publication in the WoS (Web of Science) database is categorized into one or more subject categories. The analysis of subject category co-occurrence helps identify interdisciplinary connections, map intellectual structure, and identify core disciplines, particularly track research trends, which facilitates interdisciplinary collaborations, thus influencing future decision-making in research and policy-making. In the case of publications on health diplomacy, they have been distributed across 155 subject categories over the past 30 years. A subject co-occurrence network was constructed to investigate the relationships between these subject categories within the field of health diplomacy, focusing on the categories themselves as research objects. CiteSpace software was used to generate a distribution map of subject categories in health diplomacy, as shown in Figure 3. The top five subjects regarding co-occurrence are public environmental and occupational health, health service and policies, international relations, economics, and health care services. In this network, these subjects are more closely connected than the other subjects, highlighting their relevance or interconnection in the field of research. Other than that, these subject categories prove that health diplomacy studies encompass a rather extended scale, closely bonded with multiple subjects, including environmental science, politics, economics, etc., suggesting a salient multidisciplinary feature in health diplomacy research.

Figure 4 presents the top 15 categories with significant burst strength at different periods. For instance, the subject category "Medicine, General, and Internal" burst from 1993 to 2007, with the longest burst recorded. The subject with the biggest strength falls on "Environmental Sciences" recorded as 15.11. Notably, the earliest and latest burst disciplines come to "Medicine, General and Internal" and "Environmental Studies", presenting the interest of previous researchers and present hotspots of subject category in the field of health diplomacy.

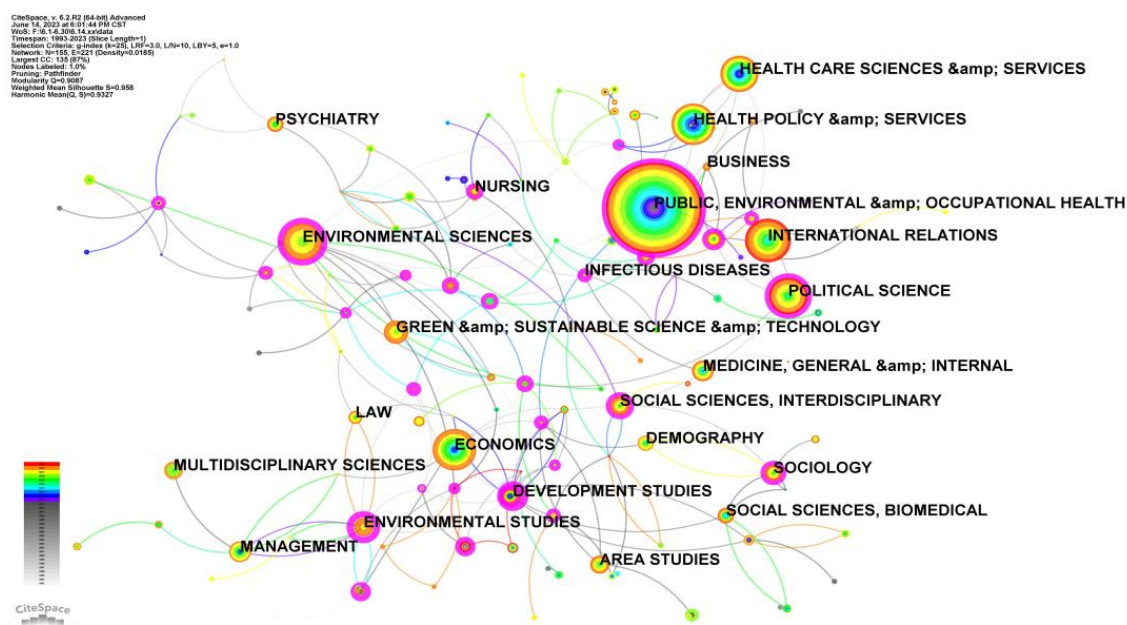


Figure 3: Subject Categories Co-occurrence Network (Source: Authors' illustration)

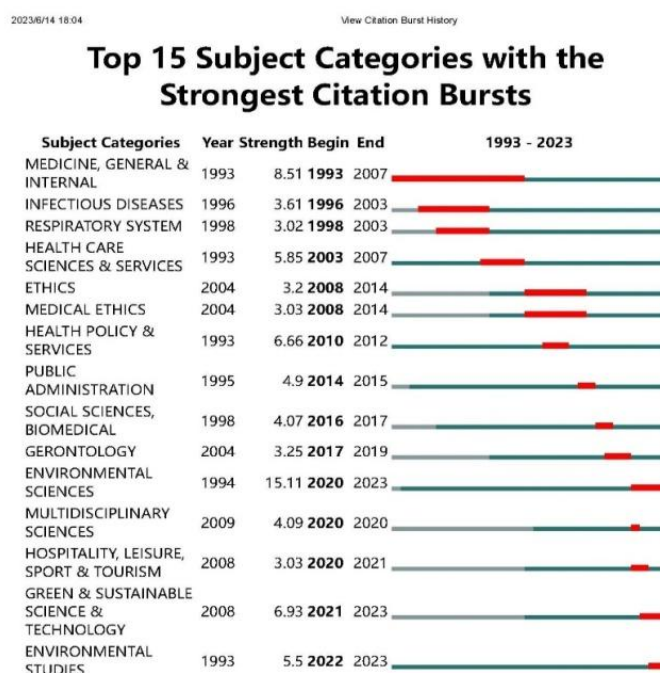


Figure 4: Subject Categories Burst in WOS (1993-2023) (Source: Authors' illustration)

## Keywords Analysis

Keywords are vital in literature since they define the scope and subject matter covered in an article. Journal editors may use keywords to assess if a submission aligns with their journal's focus, and keywords can also aid in identifying appropriate peer reviewers. Keyword analysis in CiteSpace has significant implications for research. This analysis aids in mapping the intellectual structure of a field, facilitating literature reviews, identifying research gaps, and informing future research directions. The co-occurrence network of the keywords presents the research trends and hotspots in a particular discipline or journal (Li et al. 2016).

### *Keywords Co-occurrence*

Keyword co-occurrence analysis in CiteSpace involves examining the frequency and patterns of keywords appearing together in the literature. This analysis helps identify relationships and connections between different keywords, highlighting their co-occurrence in the documents. By visualizing keyword co-occurrence networks and measuring centrality and density metrics, researchers can uncover research hotspots, emerging trends, and the intellectual structure of a field.

The co-occurrence network diagram in Figure 5 illustrates the relationships between keywords related to health diplomacy research. The nodes represent individual keywords, and the links between nodes represent their co-occurrence relationships. The size of each node corresponds to the frequency of occurrence of the respective keyword (Bruni et al. 2016). The keyword analysis reveals that "health" is the dominant keyword in health diplomacy research, appearing 264 times along with other related terms. The keyword "policy" follows closely with a co-occurrence frequency of 167 and is associated with terms such as "global health diplomacy", "foreign direct investment", "Africa", and "foreign aid". The keyword "global health" comes as the third, with a frequency of 116, and terms closely connected with it include "health diplomacy", "vaccine diplomacy", "politics", and "global health diplomacy". The distribution of these keywords, together with their surrounding terms, suggests the following conclusions:

1. Regarding health diplomacy, health is the primary concern for researchers.
2. More attention has been shifted to health diplomacy impacts that extend to other fields like economics and internal policy-making.
3. Research focusing on global health shows the indispensable relationship between health and politics, particularly under a special public health emergency.

**Table 1: Data for Top 3 Keywords in the Co-occurrence Network (Source: Authors' illustration)**

Keywords	Frequency	Centrality	Year
Health	264	0.23	2000
Policy	167	0.39	1998
Global Health	116	0.11	2009



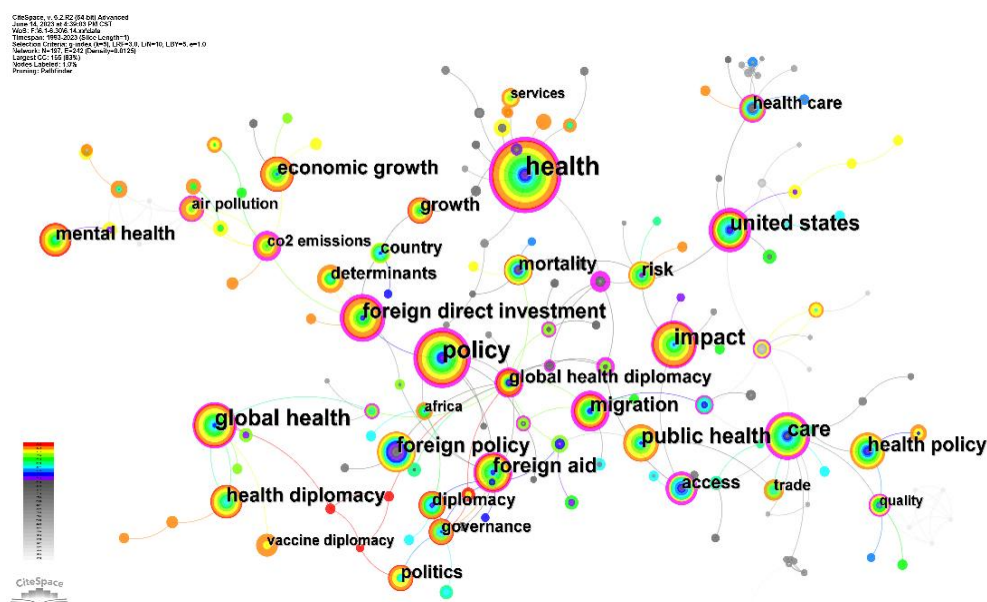


Figure 5: Keywords Co-occurrence (Source: Authors' illustration)

### Keywords Clustering

In the context of CiteSpace, keywords clustering refers to a functionality that generates node and link graphs. The clustering helps to visualize the relationships and connections between these nodes, providing a comprehensive overview of the research landscape (Chen and Liu 2022). Strong internal connections exist among the keywords, and certain keywords can form distinct clusters based on their similarity. Identifying these clusters can better represent the various trending subfields (Tan et al. 2022).

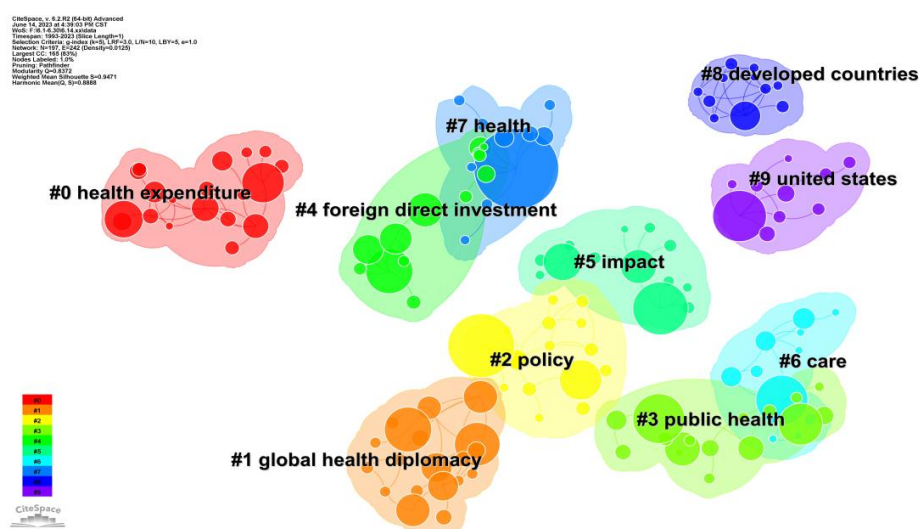


Figure 6: Keywords Clustering (Source: Authors' illustration)

As can be seen in Figure 6, the clustering modularity and silhouette value of the keywords clustering are 0.8372 and 0.9471, respectively, which both meet the requirements of the Q value greater than 0.3 and S value bigger than 0.7, indicating a significant clustering structure and the clustering results are reliable and convincing. According to the clustering map, there are nice clusters in total, which are health expenditure, global health diplomacy, policy, public health, foreign direct investment, impact, care, health, developed countries, and the US, demonstrating that health diplomacy is closely related to policy-making, economics, politics, the impact of big powers and contribution of developed countries, etc.

According to Table 2, each of the clusters covers 5 items. The S value ranges from 0.981 (Cluster #0) to 0.846 (Cluster #2), of which Cluster #1, #2, #3, #5, and #6, and Cluster #4 and #7 present two intertwined clusters, illustrating deeper and closer interaction among these items in the field of health diplomacy.

Table 2: Data for Keywords Clustering (Source: Authors' depiction)

Label	N	S	Year	Terms and Scale
0	20	0.981	2009	health expenditure (18.87, 1.0E-4); CO2 emissions (18.87, 1.0E-4); environmental pollution (14.43, 0.001); air pollution (12, 0.001); economic growth (10.42, 0.005)
1	19	0.893	2014	global health diplomacy (56.71, 1.0E-4); foreign policy (32.77, 1.0E-4); global health governance (22.74, 1.0E-4); foreign aid (15.51, 1.0E-4); lessons (12.03, 0.001)
2	17	0.846	2009	policy (18.21, 1.0E-4); migration (12.08, 0.001); experiences (8.56, 0.005); health diplomacy (7.75, 0.01); institutions (6.61, 0.05)
3	16	0.973	2008	public health (50.05, 1.0E-4); health policy (49.69, 1.0E-4); rehabilitation (13.33, 0.001); health insurance (10.6, 0.005); psychiatry (8.88, 0.005)
4	13	0.893	2009	foreign direct investment (25.82, 1.0E-4); risk factors (14.67, 0.001); economic freedom (9.77, 0.005); political economy (9.77, 0.005); international monetary fund (8.3, 0.005)
5	13	0.975	2012	impact (10.73, 0.005); health care disparities (9.43, 0.005); vulnerability (9.43, 0.005); health diplomacy (6.16, 0.05); peacebuilding (5.81, 0.05)
6	11	0.986	2001	care (19.1, 1.0E-4); sector (11.04, 0.001); epidemiology (10.4, 0.005); children (7.54, 0.01); USA (7.35, 0.01)
7	11	0.936	2009	health (8.74, 0.005); behavior (8.7, 0.005); gender (7.29, 0.01); Europe (6.81, 0.01); aid (5.12, 0.05)
8	11	0.98	2006	developed countries (15.09, 0.001); emigration and immigration/trends (15.09, 0.001); brain drain/trends (15.09, 0.001); Australia (15.09, 0.001); developing countries (14.5, 0.001)
9	10	0.978	2008	USA (30.3, 1.0E-4); tuberculosis (9.33, 0.005); obesity (7.3, 0.01); global health (6.82, 0.01); epidemiology (5.82, 0.05)

### Keywords Citation Burst

The keyword burst index can summarize keywords with significantly high-frequency changes, thereby providing insights into the forefront of research in health diplomacy. By employing burst-detection algorithms, it becomes possible to recognize emerging terms or concepts, irrespective of the frequency with which their associated articles are cited (Chen 2006).

By analyzing keyword burst patterns, this study identifies active topics in the field of health diplomacy throughout the period from 1993 to 2023. A total of 197 keywords exhibited bursts at different time points, and the top 25 keywords with the strongest burst strength are presented in Figure 7. A longer burst duration and higher burst intensity indicate increased attention to a particular keyword during a specific period. Notably, the keyword "vaccine diplomacy" had the highest burst strength of 8.88 between 2021 and 2023, suggesting this term's influential role in health diplomacy. The term "foreign policy" experienced a burst between 2006 and 2015 with a burst strength of 8.38, highlighting the high relevance between foreign policy and health issues.



The longest burst occurred with “access” between 2003 and 2018, having a burst strength of 6.95, demonstrating that as a public good, access to health resources is of great concern for researchers in this field. In recent studies, access to public goods policies made by countries in terms of health have turned out to be hotspots in recent years.

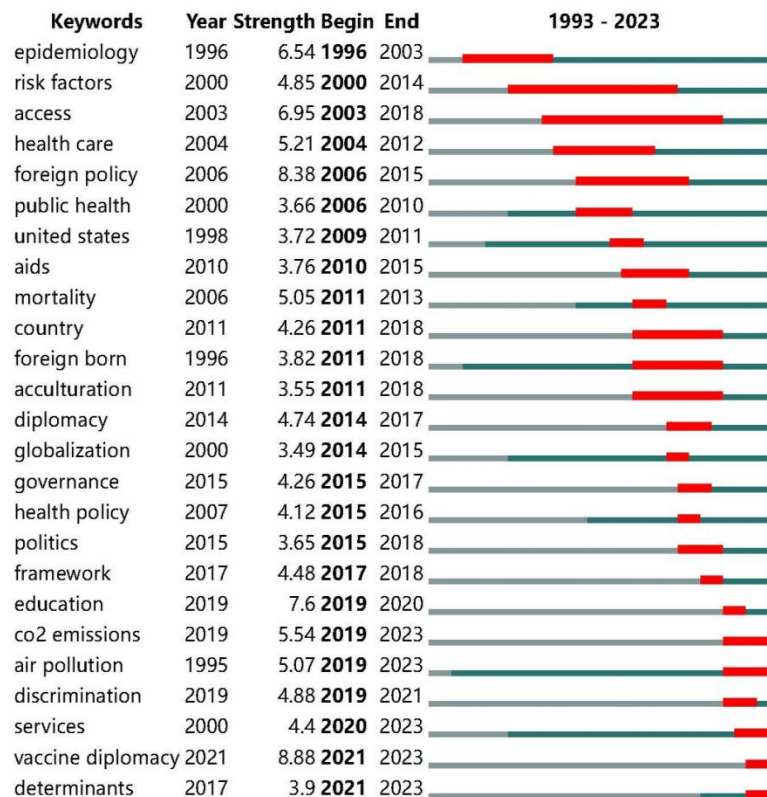


Figure 7: Top 25 Keywords with Strongest Citation Burst (Source: Authors' illustration)

## Reference Analysis

### *Reference Co-citation Network Analysis*

Figure 8 presents the co-citation analysis of 2,216 related research papers in the Web of Science (WOS) from 1993 to 2023. The following information can be derived from the analysis: there are 1147 network nodes ( $N = 1147$ ) and 2990 connections ( $E = 2990$ ) between these nodes. The density of the total cited literature network is 0.0045 (Density = 0.0045), indicating a relatively low level of cross-referencing among the literature. In the figure, the size of each circle represents the “cited frequency” of the corresponding document. The distance between circles indicates the level of relatedness between the works. Strong connections imply that this literature frequently appears together in subsequent research publications. In the top 10 document citation list provided in Table 3, two documents have been cited more than 20 times, and eight documents have been cited more than 10 times. Of the top ten cited works, Feldbaum et al. (2010), Labonté et al. (2010), Katz et al. (2011), Kickbusch et al. (2007), Riggiorozzi (2014) emphasized the role of health diplomacy in terms of

global health cooperation and governance in macro scope. At the same time, Fazal (2020) and Javed and Chatu (2020) researched health diplomacy under the context of Covid-19. Among the analyzed literature, the top ten co-cited documents are presented in Table 3.

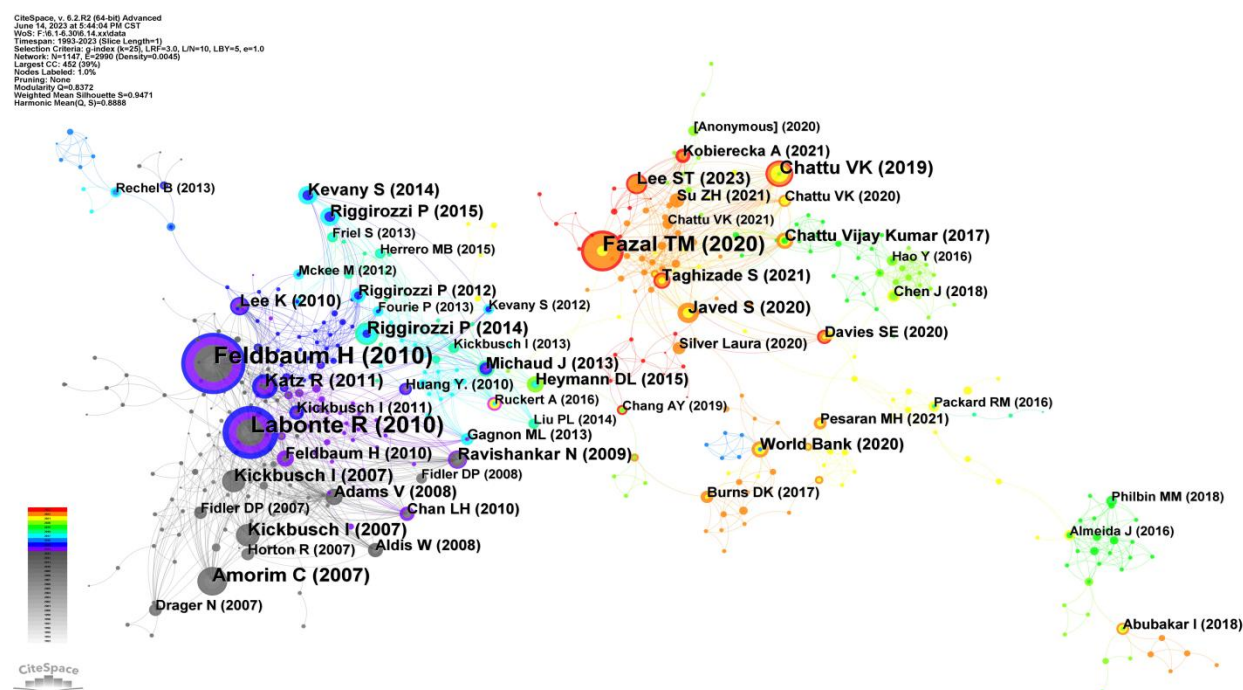


Figure 8: Co-citation Network Map of References (Source: Authors' illustration)

Table 3: Top Ten Cited Documents (Source: Authors' depiction)

Title	Author	Frequency	Source
Health diplomacy and the enduring relevance of foreign policy interest	Feldbaum et al.	30	PLoS medicine
Framing health and foreign policy lessons for global health diplomacy	Labonté et al.	26	Globalization and Health
Health diplomacy in pandemics times	Fazal	20	International Organization
Oslo Ministerial Declaration- global health: a pressing foreign policy issue of our time	MOF of Brazil, France, South Africa, Senegal	14	The Lancet
The emerging role of blockchain technology applications in routine disease surveillance systems to strengthen global health security	Chatu et al.	13	Big Data and Cognitive Computing
Defining health diplomacy: changing demands in the era of globalization	Katz et al.	12	MILBANK Q
Global health diplomacy: the need	Kickbusch et al.	11	World Health Organization

for new perspectives, strategic approaches, and skills in global health			
Global health diplomacy: training across disciplines	Kickbusch et al.	11	Bulletin of the World Health Organization
Regionalism through social policy: collective action and health diplomacy	Riggirozzi	11	Economy and Society in South America
Strengthening the Covid-19 pandemic response, global leadership, and international cooperation through global health	Javed, Sumbal, and Vijay Kumar Chattu	10	Health Promotion Perspective

### Reference Co-citation Clustering

Regarding reference co-citation clustering based on CiteSpace, the Node (N) represents the total number of citations received by a particular document. It serves as a measure of the document's academic visibility and citation impact. A higher N-value indicates that the document has been widely cited, suggesting greater influence and significance. The silhouette score (S), serving as a cluster homogeneity measure, indicates a certain degree of thematic or research domain similarity. The characteristics of the 9 largest clusters are summarized in Table 3. As can be found in Table 4, the N value of the top three clusters are 111, 65, and 40, respectively. According to the terms and scale of the top one cluster, terms including foreign policy, global health, the Covid-19 pandemic, foreign policy architecture, and literature review often emerged together, suggesting that these topics are closely intertwined and have become hotspots in health diplomacy research.

**Table 4: Top 9 Largest Reference Co-citation Clusters (Source: Authors' depiction)**

Label	N	S	Year	Terms and Scale
0	111	0.908	2009	foreign policy (113.83, 1.0E-4); global health (69.93, 1.0E-4); Covid-19 pandemic (63.36, 1.0E-4); foreign policy architecture (57.98, 1.0E-4); literature review (57.98, 1.0E-4)
1	65	0.962	2020	covid-19 pandemic (140.52, 1.0E-4); global health (79.73, 1.0E-4); political economy (78.05, 1.0E-4); India's neighborhood vaccine diplomacy (64.48, 1.0E-4); geopolitical perspective (64.48, 1.0E-4)
2	40	0.977	2016	economic growth (60.26, 1.0E-4); anthropogenic factor (53.49, 1.0E-4); spatial-temporal analysis (53.49, 1.0E-4); major urban agglomeration (53.49, 1.0E-4); heterogeneous effect (46.73, 1.0E-4)
3	38	0.977	2012	South America (100.54, 1.0E-4); locating regional health policy (60.56, 1.0E-4); institutions politics (60.56, 1.0E-4); theory politics history (55.01, 1.0E-4); south-south cooperation (55.01, 1.0E-4)
4	38	0.969	2011	public-private partnership (53.04, 1.0E-4); politics power (53.04, 1.0E-4); sugar-sweetened beverage industry (53.04, 1.0E-4); post-2015 development agenda (53.04, 1.0E-4); resource-scarce setting (47.1, 1.0E-4)
5	37	0.951	2012	national policies (190.5, 1.0E-4); policy design (63.93, 1.0E-4); adapting public policy theory (58.97, 1.0E-4); public health research (58.97, 1.0E-4); inserting health (54.01, 1.0E-4)
6	33	0.994	2017	providing care (64.34, 1.0E-4); health insurance coverage (57.1, 1.0E-4); foreign-born sexual minorities (57.1, 1.0E-4); social determinant (49.88, 1.0E-4); health disparities (49.88, 1.0E-4)
7	32	0.995	2018	catalyzing aid (58.33, 1.0E-4); donor behavior (58.33, 1.0E-4); aid allocation (58.33, 1.0E-4); female legislator (52.99, 1.0E-4); policy maker (52.99, 1.0E-4)
9	17	0.955	2020	donors role (35.02, 1.0E-4); qualitative analysis (35.02, 1.0E-4); rights partnership (35.02, 1.0E-4); strengthening health system (35.02, 1.0E-4); Ugandan case studies (35.02, 1.0E-4)

## COUNTRY AND RESEARCH INSTITUTION ANALYSIS

From 1993 to 2023, 2,334 research institutions were involved in health diplomacy studies. Among them, 133 research institutions reached a threshold of 5 or more publications in this field. Figure 9 shows that the most influential research institution is the London School of Hygiene & Tropical Medicine, with a total link of 46, considering its published documents and citations. The second and third are the University of Toronto and Harvard University, with a total link of 46 and 39, respectively. The map also illustrates that institutional collaboration in health diplomacy research exhibits regional characteristics, with key institutions primarily located in countries such as the United States, the United Kingdom, and Australia. In addition to the top three institutions, notable contributors include the University of Oxford, the University of Michigan, the University of Ottawa, and Columbia University. This reflects the close association between health diplomacy research and the respective countries' advancements and investments in healthcare technologies. Furthermore, the two prominent Asian institutions are Tsinghua University in China and the National University of Singapore, indicating their strong collaborative ties with institutions worldwide.

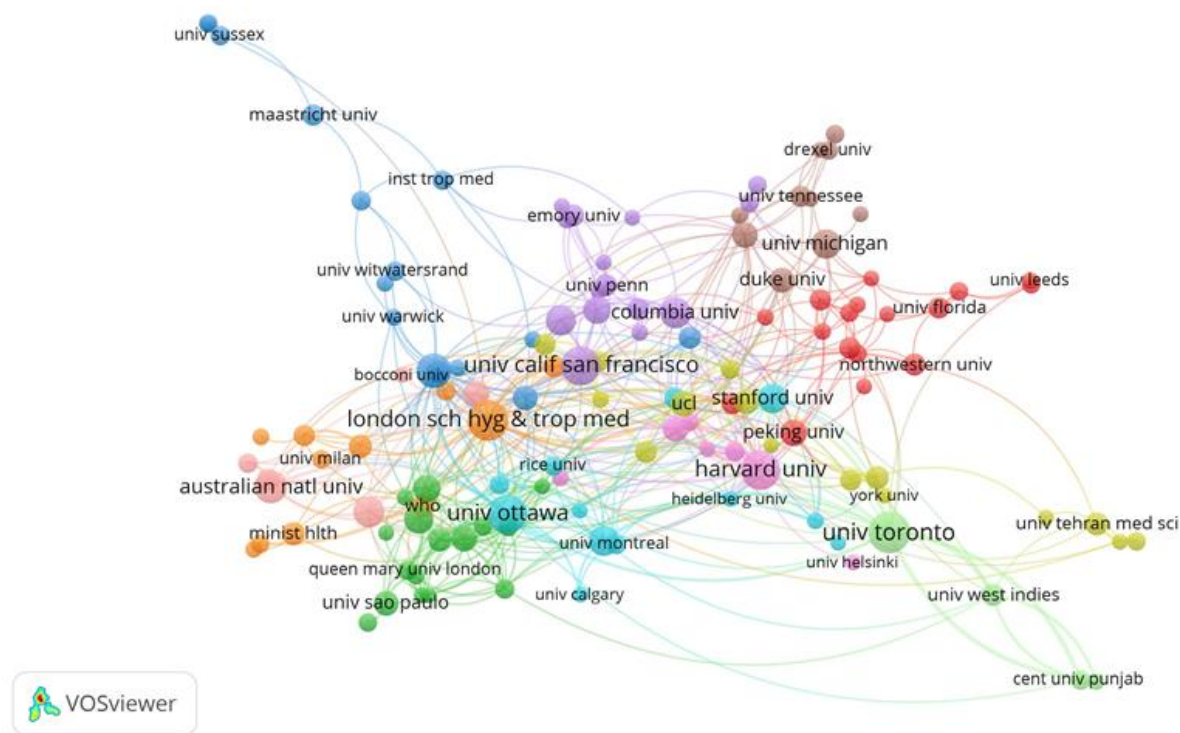


Figure 9: Map of the Cooperation among Institutions (Source: Authors' illustration)

In the study of health and diplomacy from 1993 to 2023, a total of 141 major research countries were involved. Among them, 45 countries reached a threshold of 10 or more publications in this field. The density visualization diagram (Figure 10) is used to identify countries' cooperation in health diplomacy research.

Darker colors indicate higher levels of impact and connection in the field with other countries. As can be seen in Figure 10, the United States has emerged as the leading research country with the highest absolute collaborative influence. The United Kingdom, the People's Republic of China, Canada, and Germany are the rest top five countries for cooperation in health diplomacy. The links between these countries demonstrate their collaborative relationships in researching health diplomacy.

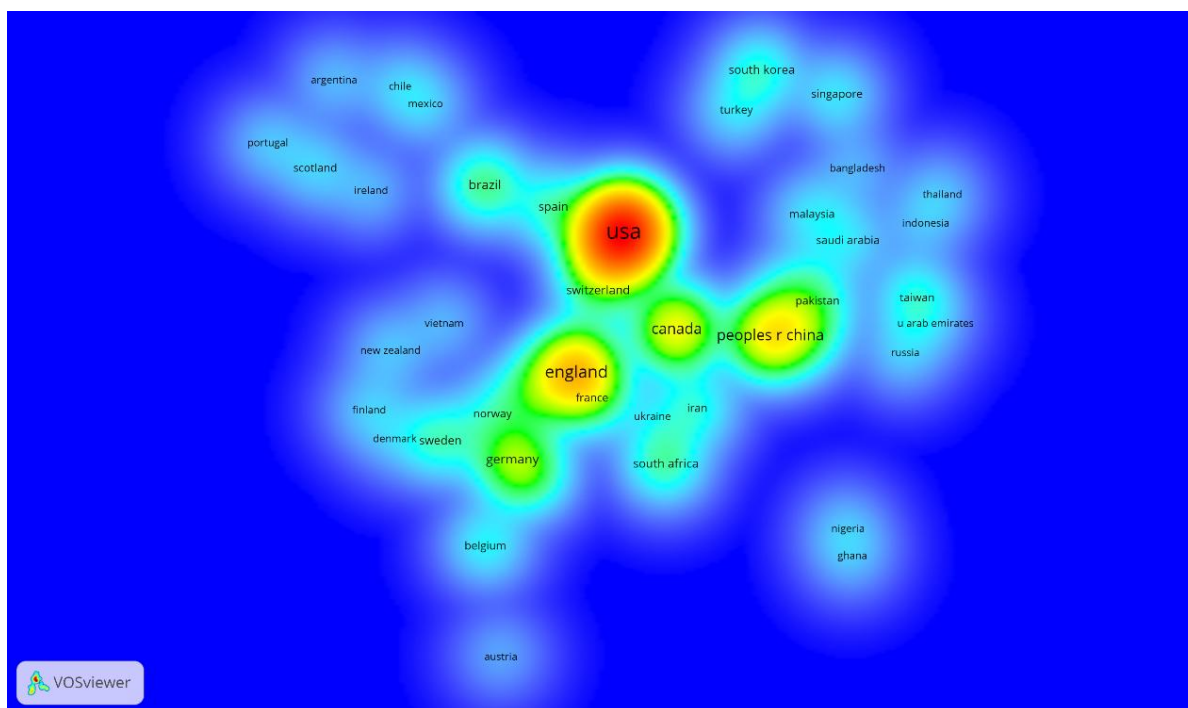


Figure 10: Map of the Cooperation among Countries (Source: Authors' illustration)

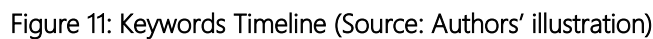
## TIMELINE AND ANALYSIS

### Keywords Timeline Analysis

To gain deeper insights into the progression of health diplomacy, it is essential to examine additional information through time series analysis. Figure 11 illustrates the temporal evolution of each cluster, where the horizontal axis represents the timeline with publication years displayed from left to right. The vertical axis depicts the noteworthy literature constituting the knowledge base at different times. This visualization aids researchers in promptly comprehending the research advancements within the field and its evolving landscape. In order to gain a deeper understanding of the dynamic trends in development, this subsection presents a timeline view (Figure 11) that showcases the progression of these clusters over time. This view allows for the classification of all keywords into nine distinct clusters, providing valuable insights into the evolving landscape of the research domain, i.e., health expenditure, global health diplomacy, policy, public health, foreign direct investment, impact, care, health, developed countries, and the United States.

Cluster 1 is the category with the longest time. Cluster 2 reaches current with financial development, Covid-19, security, power, financial development, etc., as the most appeared keywords, highlighting the most concerned aspects in health diplomacy in recent years. In addition, as can be found from the timeline view, keywords besides the core topic "health", cover health policy, community policy, growth, political economy, tobacco control, regulations, economic growth, and so on, ranging from 1995 to 2023, which presents the period of various key terms in the field of this research. Other than that, the most recently appeared terms include power, Covid-19, security in Cluster 1, undocumented immigrants in Cluster 4, and social determinants of health in Cluster 5, illustrating the interest of researchers in the field of health diplomacy in the past three years.





## Time Zone

CiteSpace II provides a time-zone view feature that emphasizes the temporal patterns between a research front and its intellectual base. A Time Zone serves as a visual representation of the temporal dynamics and connections between research fronts and their intellectual base, thus helping researchers understand the historical development and evolution of a research field and identify key influences and trends over time (Chen 2006).

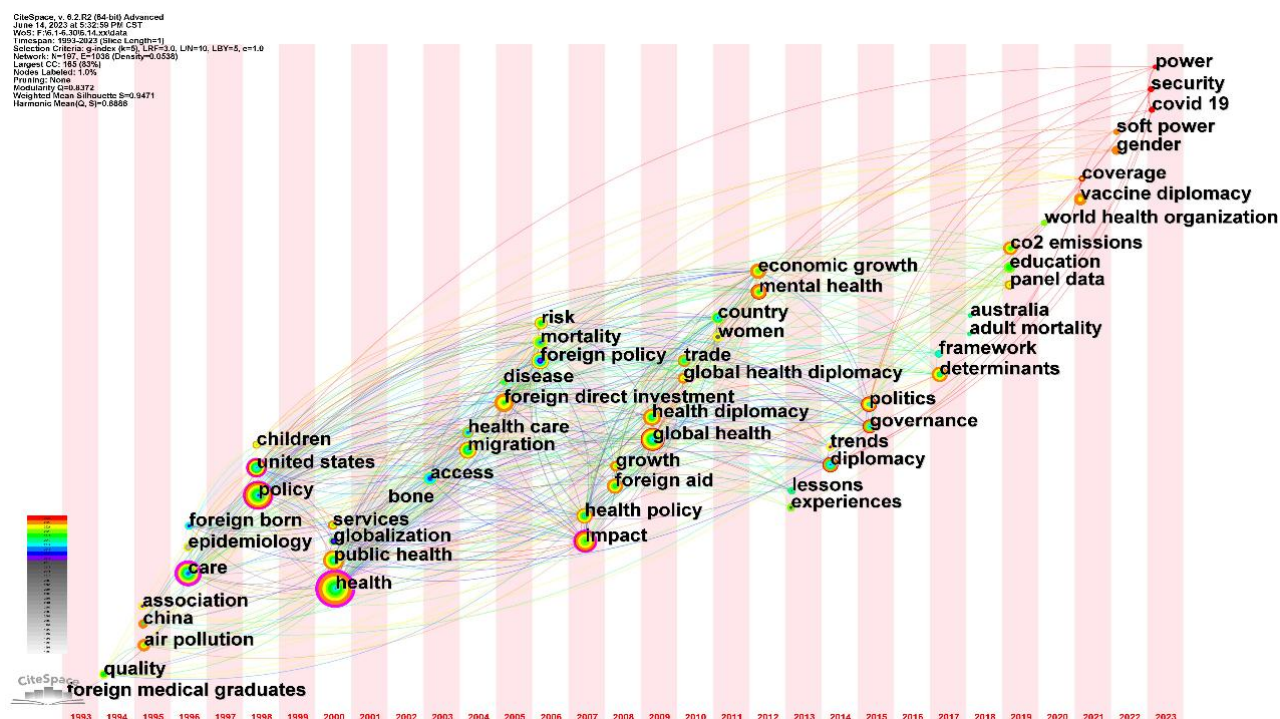


Figure 12: Time Zone of Keywords (Source: Authors' illustration)

The study imported standardized data from the research samples into the CiteSpace software. The time range selected was from 1993 to 2023, with the top 50 research institutions retained for each period (Top N = 50). The analysis project focused on “keywords”, generating a co-occurrence network of keywords. The Time Zone function was then utilized to visually represent the time-based view of the relationship between health and diplomacy or health and foreign policy in the past three decades, as shown below. This figure clearly illustrates the evolution of research hotspots and frontiers in the field, providing valuable insights for analyzing the dynamic development of health diplomacy on a global scale.

According to the Time Zone, as shown in Figure 12, the developing trend of this field can be divided into four phases. Phase one is the gap phase (1993-2000), meaning that the connection between health and diplomacy was limited. Cahill (1993), Derikson (1997), Morin et al. (2000) stated and illustrated interactions between health and foreign policy from the American view, which quite matches the two biggest nodes shown in this map. Phase two is the beginning phase (2001-2006); the main keywords that emerged include globalization, public health, foreign policy, services, migration,



foreign direct investment, etc., demonstrating that studies on health became multidisciplinary and diversified, where connections among health, foreign policy, economics, and global order were built. The third phase is the developing phase (2007-2013). It can be summarized that health and diplomacy were indispensable from then according to the keywords that appeared during this period, including impact, global health diplomacy, health diplomacy, global health, trade, foreign aid, and so on. The last phase is the multifaceted development phase (2014-2023). From the map, it is evident that the number of keywords in this phase is more diversified compared to that of the other three phases, including power, Covid-19, security, soft power, WHO, vaccine diplomacy, and governance were newly emerged, illustrating that researches between health and diplomacy have been extended to a rather large scope with salient features of the era.

## CONCLUSION

Bibliometric analysis shows that health diplomacy has gradually become a research hotspot since 1993, highlighting the increasing connections between health, diplomacy, and other fields. The analysis of topic distribution and growth data reveals the interdisciplinary nature of health diplomacy research, intersecting with public environmental health, health services and policies, international relations, and economics. Through keyword co-occurrence, clustering, and growth analysis, it is found that while health remains the main focus of health diplomacy research, its scope has expanded to include its impact on various aspects such as the economy, national policy-making, foreign aid, and health resource allocation. The research is no longer limited to the health sector alone but encompasses the influence of health on other areas, particularly in the context of global health emergencies. Keywords such as vaccine diplomacy, Covid-19, access, tobacco control, health governance, etc., are closely related to specific health events.

Analysis of the timeline and temporal distribution of keywords reveals noticeable differences in the periods of health diplomacy-related terms, which have increased over time, reflecting the increasing importance given by researchers to health diplomacy research. While some terms such as power, Covid-19, security, soft power, WHO, vaccine diplomacy, and governance have shorter spans, they have become focal points and hot topics in recent years. This reflects the significant influence of global public health crises as important factors driving the surge in health diplomacy research, providing a substantial basis for future research in health diplomacy and the relationship between health and diplomacy.

There is relatively close collaboration among research institutions in different countries, focusing primarily on developed countries such as the US, the United Kingdom, Canada, and Australia, and Asian countries like China and Singapore. This reflects the close relationship between the research of health diplomacy and the strength of health technologies and resources, exhibiting distinct regional characteristics. The field is characterized by the US holding a prominent and influential position, followed by China, the United Kingdom, and Australia. This ranking corresponds to the level of collaboration observed among research institutions. Close collaborations are observed between the United States, the United Kingdom, Australia, China, and France.

At the beginning stage, research on health diplomacy mainly focused on internal policy studies, as traditional health issues centered on national interests, including health and the environment, tobacco control, globalization, and public health. With the increasing number of public

health emergencies, health diplomacy research has expanded beyond national policy-making to encompass practices that protect national public health interests and promote global health governance. Research in health diplomacy has shifted towards regional health governance, global health governance, biosecurity, health aid, the role of major powers in health diplomacy, and the relationship between health diplomacy and sustainable development goals, all closely related to the common interests of the international community.

However, this study also has some limitations. The study relies on the Web of Science database, overlooking some literature from Scopus, Elsevier Science, and Google Scholar. Only English articles were selected during the literature screening process, leading to some data gaps. Additionally, the study covers 30 years, but data for the year 2023 is not fully included. These limitations in sample selection and author knowledge may result in insufficient depth and comprehensiveness in certain parts of the analysis.

Overall, compared to similar literature review studies, this research provides an in-depth analysis of the literature in the field of health diplomacy using the Web of Science database and visualization software such as VOSviewer and CiteSpace. The study analyzes publication trends, the evolution of research topics, keyword clustering, co-occurrence, temporal distribution, and collaboration among countries and institutions in health diplomacy. By organizing the literature using visualization analysis software, this study provides a reference for scholars to gain a macro-level understanding and analysis of the current state of health diplomacy research and a micro-level understanding of specific evolutionary processes and to grasp future research trends. It represents a new attempt in the field.

## CRediT AUTHOR STATEMENT

**Liu Jiangwei:** Conceptualization, methodology, software, writing - original draft.

**Sity Daud:** Supervision, writing - reviewing.

All authors have read and agreed to the published version of the article.

## COMPLIANCE WITH ETHICAL STANDARDS

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# EXPLORING THE CORRELATION BETWEEN HRM PRACTICES AND TQM IN PRIVATE COMPANIES: AN EMPIRICAL INVESTIGATION IN KOSOVO

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**Abstract:** *The research aims to broaden the current discussion surrounding the intricate relationship between Human Resource Management (HRM) and Total Quality Management (TQM) within the realm of private enterprises in Kosovo. The paper suggests that the arrangement and presence of HRM practices influence the successful implementation of TQM. Data was collected from a diverse range of companies, with 171 employees participating in the study, to explore this relationship. The collected data underwent analysis using Partial Least Squares Structural Equation Modelling (PLS-SEM) via path analysis, enabling a thorough examination of the causal connections between the variables. Investigation delves into the overall impact of HRM on TQM, with a specific focus on enhancing quality orientation and criteria related to individuals within the selected companies. The findings highlight the substantial and positive influence of teamwork, staffing, performance appraisals, and compensation on TQM. Conversely, training and development exhibit a noteworthy negative impact on TQM. Furthermore, the research demonstrates the significant and favorable effect of TQM on HRM practices within organizations. Additionally, performance outcomes exhibit positive and significant correlations with HRM. These outcomes underscore the fundamental significance of TQM as an integral component of HRM within the realm of private enterprises.*

**Keywords:** HRM; Management; Quality-Management; Job Satisfaction; Performance

## INTRODUCTION

The significance of quality management in operations has gained widespread recognition in recent years. The application of Total Quality Management (TQM) presents organizations with a distinct prospect to enhance their overall performance (Permana, Purba, and Rizkiyah 2021). Kokot-Stępień (2021) underscores TQM's intricate and distinctive characteristics, positioning it as a valuable catalyst for gaining a competitive edge. The financial service sector has faced significant challenges due to the global financial crisis, necessitating management adaptations and navigating complex circumstances. These organizations have started integrating diverse quality strategies to ensure the delivery of flawless products and services (Benzaquen and Narro 2023). Additionally, increased competition resulting from new market entrants has led customers to switch banks or open additional accounts due to dissatisfaction with prevailing interest rates.

Organizations are compelled to differentiate themselves by integrating quality strategies in response to heightened customer expectations, technological advancements, and intensified competition. A diverse range of strategies is employed to drive organizational excellence, including business process re-engineering, total TQM, customer-centric approaches, quality circles, and the

cultivation of collaborative teamwork. Acknowledging HRM's importance within TQM's soft dimensions is well-documented (Obeidat et al. 2019). HRM is vital in enabling organizations to achieve a competitive edge (Khan, Niqab, and Hanson 2021). While some previous studies have explored the alignment of HRM aspects with previous research that has touched upon the principles (Khan, Niqab, and Hanson 2021; Benzaquen and Narro 2023), extensive examination is still needed. Existing studies have mainly been theoretical or limited to case studies, lacking a comprehensive classification of the crucial HRM practices necessary for successful TQM implementation.

## LITERATURE REVIEW

It is of utmost importance to thoroughly examine existing literature to understand the dynamic relationship between HRM and TQM. This review should emphasize specific practices and their seamless integration to support TQM initiatives effectively. By recognizing the interconnected nature of all HRM practices, managers can develop a heightened understanding of the importance of implementing cohesive HRM strategies that synergistically work together rather than treating them as separate and unrelated components, as has been the focus of previous research studies. This study also underscores the relationship between HRM, TQM, and performance in Kosovo, highlighting organizational personnel's critical role in attaining a competitive advantage through TQM (Hussain and Khan 2020). To facilitate TQM implementation, a multidisciplinary team comprises individuals who champion TQM across various organizational areas. In TQM, effective collaboration expands beyond functional limitations and includes stakeholders like customers, suppliers, managers, and non-managers. Such collaborative efforts are vital for the success of TQM implementation. Teamwork is pivotal in continuously improving organizational processes, enabling collective problem-solving, fostering information sharing, and promoting cooperation to enhance overall group performance. Furthermore, the strong correlation between teamwork and job satisfaction further solidifies its status as a critical TQM practice.

From the traditional perspective, organizations have pursued competitive advantage through segmentation, cost reduction, or differentiation strategies. Past studies have often portrayed the first two approaches as incompatible (Farida and Setiawan 2022). Nevertheless, by adopting a TQM structure, organizations have accomplished the benefits of cost-effectiveness and superior product quality (Permana, Purba, and Rizkiyah 2021). As a comprehensive management system, TQM comprises various dimensions that significantly contribute to organizational triumph. Extensive research has diligently examined these multifaceted dimensions of TQM and established a robust and unequivocal correlation between each dimension and its influence on organizational outcomes (García-Alcaráz et al. 2021).

Nonetheless, there remains a need for further clarification regarding the classification of TQM into distinct dimensions and their individual effects. TQM is commonly categorized into "hard" and "soft" dimensions. The intangible or behavioral factors within TQM are mainly regarded as influential dimensions. However, previous research has not found a significant association between hard TQM dimensions and organizational performance.

The effective implementation of TQM necessitates the adoption of sophisticated techniques for selection and recruitment. The TQM philosophy places immense importance on recruiting highly skilled and capable individuals with the necessary knowledge, attitudes, abilities, and skills (García-

Alcaraz 2019). It is widely acknowledged that TQM strategies play a significant role in identifying and nurturing competencies by implementing diverse selection methods. When selecting new hires, it is of utmost importance to identify candidates who show exceptional teamwork abilities, proactively contribute innovative suggestions for process enhancement, display desirable values and behaviors, and possess exceptional problem-solving prowess (García-Alcaraz 2019).

Organizations should prioritize external recruitment and internal talent market considerations to uphold the principles of TQM and foster employee engagement, integration, and empowerment. By doing so, companies can ensure a dynamic workforce that aligns with TQM principles and contributes to the organization's overall success. This approach evaluates TQM based on problem-solving abilities, mathematical and statistical proficiency, and technical skills (Niyi Anifowose, Ghasemi, and Olaleye 2022). The recruitment process should employ a person-centered methodology, emphasizing identifying individuals with the requisite competencies aligned with quality-oriented practices. Organizations can effectively identify candidates best suited for fostering a quality-driven culture by adopting such an approach. Creating an environment that cultivates the desired organizational culture is crucial during selection. The recruitment process should prioritize selecting candidates who exhibit desirable behaviors and attitudes, as they form the fundamental basis for fostering a culture centered on quality within the organization. As many researchers argue (Mohamed 2020; Ababneh 2021), employees must align with the organizational culture that embraces the principles of Total Quality Management (TQM), underscoring the significance of cultural alignment during recruitment. Additionally, providing employment security enhances job stability and reinforces the ongoing commitment to continuous improvement inherent in TQM practices.

Organizations recognize the importance of training and development for successful TQM implementation. Comprehensive training programs familiarize employees with effective quality improvement techniques (Ruud et al. 2012). Regular training sessions encompassing statistical quality control, quality control circles, customer satisfaction systems, and new quality concepts are crucial for TQM (Ruud et al. 2012). Employee training should incorporate TQM tools, problem-solving techniques, and fundamental principles of TQM. Recent research by Psomas and Kafetzopoulos (2014) emphasizes the significance of training and development in ISO-certified companies, setting them apart from non-certified counterparts. For TQM-focused organizations, career development and promotion opportunities are ongoing, including horizontal career development through job rotation, lateral movement, and cross-functional mobility. Competency acquisition is a criterion for promotions in TQM implementation.

The conventional performance appraisal systems, which primarily focus on individual employees as the main contributors to organizational performance, pose a significant barrier to the effective implementation of TQM (Talib and Rahman 2015). As TQM emphasizes improvements in processes rather than solely relying on individuals, the alignment between performance appraisal and TQM is lacking. Recognizing the criticisms surrounding performance evaluation systems, the demands of TQM and employee expectations can be met. Performance appraisals often attribute errors to individual workers without acknowledging underlying systemic flaws, thus disregarding their significance (Alawag et al. 2023). Conforming to TQM principles, an evaluation system that integrates quality performance criteria facilitates improvement and developmental goals while addressing existing challenges (Alawag et al. 2023). In assessing performance, shifting the focus from individual evaluation to evaluating group and organizational performance is essential.

Organizations should move away from traditional appraisal methods to foster TQM and utilize performance appraisal for employee training, developmental opportunities, and formal assessments aligned with TQM principles.

Compensation and incentive plans have emerged as significant challenges within quality management (Alawag et al. 2023). While pay incentives play a crucial role, recognition-based incentives hold greater importance than purely monetary rewards. Individual incentives can hinder cooperation and teamwork, leading to internal conflicts (Jung et al. 2009).

However, it is vital to establish alignment between TQM principles and the reward system. Specifically, employees should be rewarded for their collaborative efforts, teamwork, and individual contributions. To ensure equity among employees, compensation should be linked to quality criteria. Yang's (2006) research demonstrates the significant influence of HRM on TQM practices, highlighting the positive effects of effective HRM practices on TQM integration. These practices increase employee and customer satisfaction, improve corporate image, and increase quality awareness. The author further emphasizes the connection between strategic innovation orientation and TQM, with teamwork and technological development leading to favorable outcomes. There is an emerging consensus on the importance of congruence and synergy among HRM practices in TQM implementation (Kemenade 2020). Traditional approaches view HRM practices as discrete elements, but integrating cohesive policies and practices is vital to leveraging human capital for business objectives. Organizations can foster effective communication, commitment, empowerment, and teamwork by aligning HRM practices with TQM principles.

This study investigates the link between HRM practices and TQM adoption in Kosovo organizations, offering insights into their interrelationship. By conducting a comprehensive literature review, the study aims to provide practical guidance to managers for effectively implementing HRM practices and achieving synergistic outcomes. Additionally, it explores the impact of TQM, HRM, and performance on competitive advantage, addressing gaps in the existing literature on organizational management (Obeidat et al. 2019; Khan, Niqab, and Hanson 2021; Farida and Setiawan 2022). The findings can benefit researchers, managers, entrepreneurs, and policymakers in establishing effective HRM practices in organizations. Moreover, the methodology employed in this study facilitates robust results, enables statistical generalization to other contexts and samples, and sheds light on the empirical significance of the soft dimension of TQM. Structural equation modeling is used to test all the hypotheses in the proposed model. Based on the discussion above, several hypotheses are put forward for investigation:

**H1:** Teamwork exhibits a significant correlation with TQM implementation.

**H2:** Staffing shows a statistically significant association with TQM.

**H3:** Training and development exhibit a statistically significant connection with TQM implementation.

**H4:** Performance evaluations show a statistically significant association with TQM implementation.

**H5:** The relationship between compensation and TQM is statistically significant.

**H6:** TQM significantly influences HRM practices.

**H7:** TQM shows a significant impact on organizational performance.

## AIMS AND METHODOLOGY

### Study Design

This study uses a descriptive causal research design to investigate the dynamic relationship between TQM dimensions and HRM practices. Systematically analyzing their impact on HRM sheds light on their interplay and establishes clear cause-and-effect relationships, underscoring the substantial influence of TQM on HRM. The findings contribute empirical evidence to enhance understanding of TQM and HRM alignment for organizational performance improvement. Furthermore, the design allows for the generalization of findings to diverse organizations and industries, providing broader insights beyond the study's context.

### Sample Description

The research encompassed a diverse array of companies, varying in size, constituting the target population for investigation. The data collection involved engaging key personnel from these organizations' quality management and human resources departments. Initially, 225 employees were approached to participate in the study through personal interviews, employing a structured questionnaire to collect pertinent data. However, after thorough evaluation, a final sample of 171 employees was selected, taking into account the suitability of the received questionnaires. The attained response rate amounted to 73%. Notably, the study predominantly included participants occupying significant positions within their respective organizations, endowed with proficiency in both the realm of quality management and human resources; individuals possess a valuable combination of knowledge and skills that can contribute to organizational success.

### Research Tool/s

The study examined various HRM (Human Resource Management) practices, emphasizing promoting teamwork in TQM (Total Quality Management) implementation. Using a Likert-type scale, it assessed aspects such as career management, compensation, training, and more. The dimensions of TQM (e.g., continuous improvement, control, supplier relationships) were considered indicators, such as firm performance metrics, including growth, profitability, new product success, and market share changes. This study employed quantitative measures to comprehensively assess the impact of HRM practices on TQM and firm performance. The quantitative approach provided objective analysis and meaningful insights into their relationship.

### Data Collection

Data collection for this study involved the distribution of a meticulously designed structured questionnaire to employees working within the selected companies. The questionnaire was thoughtfully constructed to gather pertinent information and ensure the reliability and validity of the collected data. The Pearson correlation coefficient was computed for each item to evaluate the questionnaire's validity, examining its relationship with its corresponding dimensions.



The results of the validity analysis demonstrated strong positive associations, with correlation coefficients surpassing the 0.70 threshold. This indicates that the questionnaire items effectively measured the intended constructs and connected robustly with their respective dimensions. The high correlation coefficients instill confidence in the questionnaire's capacity to accurately capture the desired information, thus bolstering the consistency and cogency of the study's findings.

## Statistical Analysis

Confirmatory factor analysis (CFA) was utilized to assess the unidimensionality of six variables comprising 10 items. CFA enables the evaluation of the congruence between observed variables and their latent constructs (Schreiber et al. 2006). The findings indicated that the measurement model demonstrated a satisfactory fit to the collected data, as evidenced by various fit indices falling within an acceptable range. The reported indices provided evidence of the model's satisfactory fit. Construct reliability was evaluated using the compound reliability index and the ordinary variance extracted (AVE) index. Both indices confirmed values of 0.6 and 0.5, respectively, surpassing the recommended thresholds for assessing construct reliability. Notably, the AVE index surpassed the criterion for all the measures, indicating a sufficient level of convergent validity. The study opted for partial least squares structural equation modeling (PLS-SEM) utilizing SmartPLS software for data analysis. Given the complexity and exploratory nature of the modeling framework, which entailed multiple theoretical perspectives and concept diffusion, PLS-SEM was deemed a suitable analytical approach. Its flexibility and robustness make it well-suited for analyzing intricate models, rendering it appropriate for this study's analytical needs (Hair, Ringle, and Sarstedt 2011; Sarstedt and Cheah 2019).

## RESULTS

The questionnaire's initial section collected demographic data from the respondents. Table 1 summarizes the gender distribution, years of working experience, and education. The table revealed that 81.29% of respondents were male and 18.71% were female. Regarding experience, 44.44% had 3 to 5 years, and 37.43% had five or more years. Regarding education, 63.74% held a Bachelor's degree, while 28.65% possessed a Master's degree. Table 2 presents the correlation analysis, indicating strong and positive relationships among the variables. The given indicators for results: TW-Teamwork, ST-Staffing, TD-Training and Development, PA-Performance Appraisals, COM-Compensation, TQM, and PER-Performance.

Table 1: Demographic Data (n = 171) (Source: Authors' research)

		Frequency	%
Gender F/M	Male	139	81.29%
	Female	32	18.71%
Experience	1 to 3 years	31	18.13%
	3 to 5 years	76	44.44%
	> 5 years	64	37.43%
Education Level	Bachelors	109	63.74%
	Masters	49	28.65%
	Post-graduate	13	7.60%

Table 2: Correlation Analysis (Source: Authors' research)

	TW	ST	TD	PA	COM	TQM	PER
TW	1						
ST	0.171	1					
TD	0.074	0.759	1				
PA	0.23	0.159	0.095	1			
COM	0.083	0.751	0.832	0.042	1		
TQM	0.086	0.775	0.912	0.059	0.869	1	
PER	0.234	0.677	0.569	0.109	0.875	0.653	1

Table 3 presents the AVE coefficients and composite reliability values for the variables. Notably, all variables surpass the 50% threshold for AVE coefficients, indicating satisfactory convergent validity. Furthermore, the composite reliability values for the variables exceed the 70% threshold, indicating strong internal consistency. These results confirm the study's robust convergent validity as per recommended standards.

Table 3: Convergent Validity (Source: Authors' research)

Constructs	CR	AVE
TW	0.821	0.75
ST	0.81	0.583
TD	0.81	0.687
PA	0.92	0.737
COM	0.87	0.672
TQM	0.901	0.689
PER	0.81	0.625

Table 4: Fornell and Larcker (1981) Criterion (Source: Authors' research)

	TW	ST	TD	PA	COM	TQM	PER
TW	0.84						
ST	-0.33	0.76					
TD	0.3	-0.16	0.84				
PA	-0.10	0.39	0.02	0.85			
COM	-0.09	-0.06	0.12	0.2	0.81		
TQM	-0.07	0.37	0.19	0.55	0.22	0.85	
PER	0.3	0.07	0.07	0.2	0.19	0.15	0.8



Following the Fornell and Larcker (1981) criterion, the evaluation of discriminant validity is presented in Table 4, which indicates that each construct's square root surpasses the correlation coefficients with other constructs, confirming their discriminant validity. Table 5 shows the path analysis outcomes, illuminating HRM factors' influence on TQM and employee performance. The results emphasize the favorable impact of collaboration, workforce, performance evaluations, and rewards on TQM while acknowledging the detrimental effect of skill enhancement initiatives on TQM.

Additionally, the analysis reaffirms the significant positive association between TQM and HRM practices, with TQM also significantly enhancing performance outcomes.

**Table 4: A Path Analysis (Source: Authors' research)**

Path	Estimate	SD.	T-stats	Prob.
TW→TQM	0.14	0.08	1.9	0.05
ST→TQM	0.36	0.06	6.73	0
TD→TQM	-0.19	0.08	2.7	0
PER→TQM	0.16	0.07	2.4	0.01
COM→TQM	0.2	0.08	2.6	0.01
TQM→HRM	0.33	0.06	4.49	0.04
TQM→PER	0.47	0.07	5.59	0.03

**Table 6: Predictive Relevancy (Source: Authors' research)**

Variables	R-squared	R-squared adjusted	Q Square
TW	0.51	0.51	0.35
ST	0.08	0.06	0.05
TD	0.14	0.13	0.05
PA	0.79	0.77	0.58
COM	0.18	0.17	0.1
TQM	0.76	0.76	0.53

Table 6 offers valuable predictive insights into the thoughtful concepts of HRM and TQM. The outcomes revealed that teamwork and performance appraisals in HRM have predictive relevance levels of 51% and 79%, respectively. However, staffing, training, development, and compensation constructs in HRM show lower predictive relevancy, with values of 8%, 14%, and 18%, respectively. Regarding TQM, it exhibits a strong predictive relevance of 76% towards the performance construct.

## FINDINGS AND DISCUSSION

The positive impact of teamwork on TQM is evident in companies, as leaders exhibit a stronger commitment to teamwork culture and safety climate compared to frontline staff. This finding supports H1, indicating a significant positive relationship between teamwork and TQM.

The study findings also highlight the crucial role of the implemented management system in fostering a competitive culture with a focus on quality orientation. The findings of Kemenade (2020) support the importance of leaders implementing supportive measures to cultivate a competitive culture. Similarly, Akparep, Jengre, and Mogre (2019) found that companies with positive employee involvement programs experience enhanced performance and competitiveness. In the selected companies in Kosovo, staffing has a significantly positive impact on TQM, improving employee skills, leading to cost reduction, and enhanced product quality.

An excellent example is the implementation of quality circles, which raise employees' awareness of the importance of improving work quality. The people criterion plays a pivotal role in engaging employees in pursuing enhanced work quality through applying TQM principles. Taylor and Gillian (2003) and Wang and Meckl (2022) highlight that while top managers plan TQM initiatives, it is crucial to involve input from middle and lower-level employees to ensure support before implementing TQM practices.

The impact of training and development on TQM in companies is statistically significant, confirming the acceptance of H3. This finding can be attributed to the positive influence that training and development programs have on shaping and enriching employees' attitudes.

Organizations must implement effective training programs that yield favorable attitudinal outcomes. This finding aligns with the research by several authors (Al Qudah et al. 2018; Al Qudah et al. 2018; Olonade and Omotoye 2021), who demonstrated a positive and significant relationship between transformational training programs and employee loyalty. Training programs provide dual benefits by positively influencing employee attitudes and enhancing their knowledge and skills. Ruud et al. (2012) and Jain and Khurana (2017) also found that offering training opportunities creates a sense of organizational care, increasing employee satisfaction and loyalty. Training and development initiatives positively affect trainees' satisfaction and motivation (Yaqub and Singh 2021). Organizations invest significantly in employee training to improve their performance. Therefore, it is reasonable to expect continued investment in such programs if they consistently enhance performance. As employees acquire new skills, their job performance is significantly affected.

The statistical analysis supports the positive impact of performance appraisals on TQM, validating the importance of employee collaboration and performance quality. HRM and TQM are interrelated and contribute to organizational success.

The study confirms the transformative influence of HRM on employee empowerment and management style, emphasizing its role in implementing TQM programs. Managing and satisfying employees are crucial for achieving and maintaining high-quality standards within the organization. The effective integration of HRM practices with TQM principles has been recognized as crucial. A literature-informed model has been proposed to establish this connection, highlighting the significant HRM practices that enable employees to uphold TQM principles (Obeidat et al. 2019; Wolor 2022).

The findings provide valuable insights for organizations to align their HRM practices with business strategies and develop action plans accordingly. Personnel practices must foster a culture

that upholds TQM, as this ensures the meaningful influence of HRM on managerial and overall performance (H7).

## PRACTICAL AND THEORETICAL IMPLICATIONS

The research findings confirm that TQM is a powerful strategy for enhancing competitiveness in enterprises. TQM improves various aspects of an organization, including people, processes, environments, and services, leading to increased reputation, quality awareness, and employee satisfaction.

This study fills a crucial gap by examining the correlation between HRM and TQM, highlighting the importance of HRM practices in TQM implementation. The study also emphasizes the implication of the manufacturing segments in the country's development and contributes to the existing knowledge on TQM's impact on organizational performance.

The findings of this study hold important implications for managers, particularly within the context of Kosovo's economy. Practitioners and researchers must acknowledge HRM's fundamental importance in ensuring the longevity of quality management initiatives. It is imperative to critically evaluate and question traditional HRM practices that may conflict with the principles and objectives of TQM. Therefore, the HRM function should play a leading role in promoting collaboration through activities like team and job design, incentivizing information sharing, strategic employee selection, and enhancing training and development programs. Developing a strong HRM-TQM relationship can result in positive organizational outcomes.

By aligning quality policies with HR practices, companies can improve their performance. This entails formulating and efficiently disseminating the TQM vision, nurturing a culture of quality consciousness among the workforce, and adequately equipping the organization and its employees to facilitate the seamless execution of TQM practices. These measures can contribute to improved organizational performance and achieving quality objectives.

## CONCLUSION

Based on the study findings, it can be inferred that adopting TQM, coupled with effective HRM practices, leads to an enhancement in quality orientation within companies in Kosovo. By integrating HRM systems, organizations can cultivate and develop their resources and capabilities, thus enabling them to maintain a competitive advantage. This is particularly significant as organizational learning and innovation are crucial in achieving sustainable success. In light of these findings, it becomes evident that the strategic aspect of HRM encompasses all HR strategies implemented by companies and aims to assess their impact on overall performance. Organizations can optimize their HR practices by adopting a strategic perspective to drive positive outcomes and achieve performance objectives. This underscores the importance of aligning HRM strategies with broader organizational goals to foster continuous improvement and maintain a competitive edge.

The study's findings reveal the substantial influence of different factors on TQM. Teamwork, staffing, performance appraisals, and compensation positively affect TQM, emphasizing their role in fostering quality management practices. Conversely, while negatively affecting TQM, training, and development still hold significance in shaping organizational outcomes.

Moreover, TQM significantly contributes to HRM within the organization, highlighting their interdependent relationship. Moreover, implementing TQM initiatives can foster a work environment characterized by trust, accountability, and employee involvement, thereby promoting a positive organizational culture. Organizations must recognize that TQM is not merely a standalone initiative but a comprehensive philosophy that requires the active engagement of all organizational stakeholders, encompassing both individual and collective aspects.

To overcome the study's limitations and contribute to future research in organizational management, it is essential to acknowledge the constraints and utilize them as a foundation for further inquiry. Adopting a comparative research design holds promise for researchers delving into organizational management. This method offers valuable insights into the divergences between the private and public sectors and across various industries in terms of the assimilation of HRM and TQM.

By considering these variations, researchers can gain a deeper understanding of the unique dynamics and challenges associated with HRM and TQM integration in different organizational contexts. This comparative analysis would be particularly beneficial for a deeper understanding of TQM and its cultural implications in the Middle East, particularly within Kosovo's economy. Additionally, it is advised that researchers explore alternative dimensions beyond organizational performance, thus expanding the scope of inquiry and shedding light on other relevant aspects of organizational dynamics.

## CRediT AUTHOR STATEMENT

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# AN EVIDENCE-BASED ANALYSIS OF THE EU'S HAMPERED TRANSFORMATIVE POWER IN THE WESTERN BALKANS

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**Abstract:** *The objectives of this paper were to assess the role of the EU in the countries willing to join and committed to the negotiation processes (with a particular focus on the WB region) and to explore further and explain the dynamics of the EU's crucial role onto the political performance, summarizing internal and external country and region-based developments. For this purpose, the deployed methodology consists of conducting a comparative quantitative analysis, comparing evidence from selected countries and from selected enlargement waves. The main results of the analysis confirmed that the EU's role in ensuring democratic performances at the country/region level is seriously weakened over time and that it is therefore essential that the EU, especially in uncertain times, rethink and revitalize its democracy-promoting mechanisms to rebuild and re-test itself as a transformative power.*

**Keywords:** *EU Integration; Democratic Performance; Enlargement Waves; Western Balkans; Transformative Power*

## INTRODUCTION

The European Union (EU) has evolved from its early origins as an economic community into a club of democracies and a promoter of democratic values. While the EU's primary purpose was initially economic integration, the concept of democracy and the rule of law gradually became integral to its identity and objectives. Until then, democracy was not explicitly highlighted even less when signing the Treaty of Rome, but the principles of democracy and the rule of law were seen as underlying values.

Expansion and enlargement enriched the EU's means to promote democracy because as the EU expanded its membership, it became more diverse and encompassed countries with different political systems. This was especially the case with the Mediterranean Enlargement, whereas Spain's membership was seen primarily as a guarantee for consolidating its new democratic (Diaz 2015). Despite this, the fall of the Berlin Wall in 1989, the subsequent reunification of Germany, and the third wave of democratization opened the door for Central and Eastern European countries to join the EU.

While the Maastricht Treaty established the EU as a political and economic union, it highlighted for the first time the importance of democracy, human rights, and the rule of law. It established the Copenhagen Criteria, which set the conditions for countries wishing to join. Since then, the EU has been important in promoting reforms and consolidating democracies beyond its borders.

Although the EU used the perspective of a future enlargement round in the Western Balkan Countries (WB6) and inspired the Member States, it is now challenged by the phenomenon of democratic backsliding, which refers to the gradual erosion of democratic institutions, norms, and practices (Bermeo 2016, 5). The magnitude of this new phenomenon has enormous implications as it questions not only the EU's capability and role as a "transformative power" (Grabbe 2006, 34) but also its capacity as a "regime maker" (O'Brennan and Gassie 2009, 64) and a "Member State builder" (Keil and Arkan 2016, 17) when taking into consideration its efforts to democratize potential Member States. Existing literature highlights that nowadays, the EU is "failing to deliver democracy to those countries engaged in the process of joining the EU" (Wunsch and Dzihic 2017, 5). While democracy promotion was and remains a vital part of the EU's foreign policy, the EU lacks transformative potential, especially when dealing with "defective democracies with little chance of becoming EU members" (Dimitrova and Pridham 2004, 94).

## RESEARCH OBJECTIVES AND METHODOLOGY

Considering the above context, this paper has a two-fold objective. The first objective is to assess the role of the EU in promoting democratic values and ensuring democratic performance in the countries willing to join and committed to the negotiation processes, taking into consideration different enlargement waves, but with a particular focus on the WB region. Its second objective is to explore further and explain the dynamics of the EU's crucial role in the country's political performance, summarizing internal and external country and region-based developments and main critics and elaborations.

To accomplish these two objectives, the methodology involves conducting a comparative quantitative analysis that compares evidence from selected countries (cross-country) and specific enlargement waves (cross-enlargement waves). The evidence-based analysis will use secondary data from 3 key sources, gathering long-term and reliable data on the political/democracy performance worldwide, respectively Freedom House, Nations in Transit, and Bertelsmann Transformation Index.

The selected countries/regions and enlargement waves for the analysis are (1) the Mediterranean enlargement (Greece, Spain, and Portugal); (2) recent enlargement waves (Bulgaria, Romania, and Croatia); and (3) the enlargement case of the WB region. This is done to analyze the EU's role in promoting democratic values in different times, contexts, and perspectives compared to the WB processes. The countries under the focus of the analysis represent countries that substantially changed their democratic performance due to the EU accession processes (the Mediterranean case) and countries that are primarily similar to the contexts of the WB region countries (Bulgaria, Romania, and Croatia).

## Background

With the Copenhagen Summit in 1993 and the resulting criteria, the EU not only paved the way to develop a range of policies and instruments to support the promotion of democracy but, furthermore, established monitoring mechanisms to assess the democratic performance of countries wishing to join the EU. Since then, the EU has introduced a list of non-exhaustive tools, varying depending on the context and country in question, demonstrating the diverse range of policies to

promote democratic values within and outside the European Union's borders. This shows once again that the EU has a long history of promoting democratic governance and human rights, although it has not always had the appropriate tools to promote its core values (Pinto 2016). One of the EU's most used approaches to promote democratic reforms is based on conditionality policies, with financial and other assistance to the recipient strongly interlinked to the country's compliance with certain conditions. In this case, conditionality acts as a mechanism to encourage democratic reforms and to set conditions in areas such as the rule of law, human rights, good governance, etc.

On the other hand, enlargement policies and processes are a cornerstone of the EU's comprehensive strategy for promoting and ensuring the democratic character of potential Member States. Democracy promotion in the EU and Europe is vital, as an explicit link exists between EU integration and political performance in terms of democracy (McLaren 2008).

The comparative analysis of the EU's enlargement rounds highlights a difference in approach between the first and subsequent rounds. In the first round of enlargement, the EU did not prioritize the democratization process, as nation-states applying for EU membership were already consolidated democracies. Consequently, there were no preconditions on democracy during the accession negotiation process. Nonetheless, in the 1970s, the EU encountered a new situation with the Mediterranean Enlargement, explicitly with Greece, Spain, and Portugal, since these states had a troubled history concerning their political systems and faced difficulties in transitioning towards consolidating democracies at the national level. In this context, the EU took a different approach and imposed democratic conditions on these countries as a requirement for membership.

This marked the first instance where the EU compelled compliance with democratic conditions. In general, the EU, as an external actor, had to intervene, provide incentives, and influence mechanisms to trigger institutional transformation and democratization processes within these states. Including the conditionality-compliance nexus for democratic reforms represented a significant shift in the EU's membership requirements. It was a turning point for future enlargement waves, indicating that democratic standards would be crucial in the EU's assessment of candidate countries.

This change in approach demonstrated the EU's recognition of the importance of democracy and its commitment to promoting democratic values and institutions among its (potential) Member States. It also highlighted the EU's willingness to actively support and facilitate democratic transitions and consolidation, especially when candidate countries face challenges.

Overall, the EU's experience with Greece, Spain, and Portugal in the 1970s influenced the EU's general requirement framework for full membership, setting a precedent for subsequent enlargement rounds and emphasizing the significance of democratic conditionality in the EU's enlargement process.

Starting from the 1980s, the EU began to refine and expand its conditions for accession, moving beyond formal criteria to include substantive democracy as a critical requirement. This shift demonstrated the EU's aspiration to promote democracy within its region. The EU imposed a rigorous set of conditions on accession, particularly in the case of Central and Eastern European countries (CEEs), which led to the EU becoming deeply involved in the national political transformation processes of candidate states (Pridham 2005).

However, the EU faced challenges in monitoring and regulating the compliance of both existing Member States and the troubled candidate states of the 1970s. This created uncertainties and hesitations regarding the inclusion of further enlargement rounds in the EU's political agenda, which,

due to the lack of formal mechanisms to ensure compliance and address issues within the EU and among candidate states, undermined the EU's commitment to its enlargement policy (Phinnemore 2006). Despite these challenges, the EU's focus on substantive democracy as a condition for accession demonstrated its determination to promote democratic values and institutions. The EU's involvement in the political transformation of candidate states, particularly in the CEEs, showcased its commitment to supporting democratic transitions and consolidation in the region, which automatically led to an enhanced and reciprocal trust in the EU's transformative power.

Candidate countries often place significant trust in the transformative power of the EU as EU membership offers numerous benefits and opportunities that, despite the political stability, also include various positive "side effects" such as economic development, access to the single market, and increased cooperation with other EU Member States, candidate countries' perception of the EU is that of a catalyst for positive change and progress in their societies. In summary, the EU's transformative power lies in 1) its ability to shape, due to the accession process, the candidate countries' political, legal, and economic systems according to EU standards and norms. This required alignment internally promotes the adoption of democratic principles, human rights, the rule of law, and market-oriented economies; and 2) the provision of candidate countries with technical assistance, financial support, and capacity-building programs to facilitate their adoption of EU standards.

We can highlight that examples such as the democratic transitions of Greece, Spain, and Portugal in the 1970s, as well as the transformations in Central and Eastern European countries in the 2000s, have demonstrated the EU's ability to foster positive changes. Thus, the successful experiences of the previous Member States that have undergone significant societal and political changes through their EU accession process further enhanced the trust in the transformative power of the EU. Nevertheless, a different reality is pictured in the Western Balkan countries, whereas the EU's transformative power is not delivered as expected (Burnell 2000). Although the EU has been engaged in the Western Balkans for nearly two decades, its engagement cannot be considered transformative in terms of an enhanced and sustainable democracy, resulting in consolidated democratic systems. While the EU's engagement has contributed to some progress on democratic reforms in some areas, its capability to democratize the Western Balkan countries remains limited.

## LITERATURE REVIEW AND CRITIQUE

Existing literature covers several concerns and critics regarding broad and vague definitions of democracy followed by not-fully efficient mechanisms, a general regressive trend of democratic processes resulting in systems of so-called "stabilitocracies", which refers mainly to governments in the Western Balkans that claim to ensure stability, pretend to support EU integration, and rely on informal, clientelist structures, media control, and the production of crises to undermine democracy and the rule of law (Bieber 2018).

Although, among scholars, the EU is considered a "school for democracy" (Renner and Trauner 2009, 457), it is also true that the EU is short of a clear definition and conceptualization of democracy, as it is often criticized that it pursues a "vague and fuzzy" (Kurki 2010, 371) form of "liberal democracy" (Geoffrey 2005) which is then reflected in the difficulties that countries have in fulfilling the EU requirements, and in the assessment methodology of the EU as democracy remains "an aspiration that is not yet defined" (Timmer et al. 2014, 43).

Furthermore, some scholars argue that even the “expected democratic transformation of the region has not become a reality” (Zweers et al. 2022, 11) due to “a closer scrutiny of de-democratization processes and regressive tendencies” (Wunsch and Dzihic 2017, 12).

In addition to the non-linear path to democracy, scholars criticize “that the EU integration context has not been able to effectively counter non-democratic tendencies including outright democratic rollbacks” (Wunsch and Dzihic 2017, 13). As amplified, the EU’s “transformative power is not only less effective than expected in the WB6 but is also believed to unintentionally contribute to the consolidation of stabilitocracies” (Zweers et al. 2022, 6). The discussion about the so-called shift from democracy promotion to stability promotion (Wunsch and Dzihic 2017) emphasizes the moderate effect of the EU in the WB6.

Moreover, some countries that have not yet been granted candidate status, such as Kosovo as a counter-example, have made significant strides toward democratic reforms in recent years, suggesting that this status is not necessarily a prerequisite for progress. Considering this, the EU’s approach to offering assistance is often criticized as too technical and superficial (Zweers et al. 2022, 13). Also, it is essential to note that the EU’s efforts transpose the EU’s *acquis de jure* without tackling deep political transformations and without altering the political realities of WB6 (Lemstra 2020, 7).

## RESULTS AND ANALYSIS

The analysis provides historical and available data in assessing democratic progress for countries of two previous enlargement rounds and one potential future enlargement wave. Thus, periods under consideration vary given the different timing of the enlargement processes and rounds. Specifically, for the Mediterranean enlargement round, the analyzed period is 1975-1987, as it coincides with a period of democratic transition and engagement towards the EU.

Considering Romania, Bulgaria, and Croatia, the analyzed period starts from 1990, when the democratic transition and the commitment towards the EU started. Even though the WB region was affected by the democratization boost of the early 90s, the period under analysis starts in 1999-2000 due to the prior political instability in the region caused by the numerous wars and to the fact that the year 2000 points to the beginning of the EU commitment towards this region.

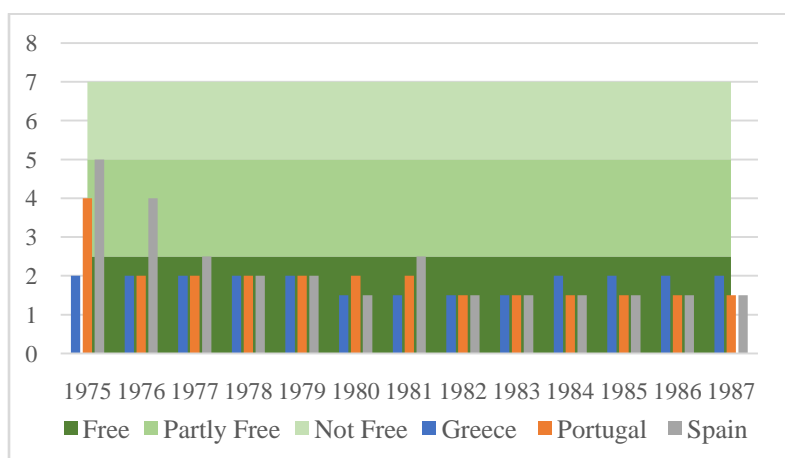


Figure 1: Freedom Status (Greece, Portugal, Spain) (Source: Authors’ illustration; Freedom House 2023)



As shown in Figure 1, the countries of the Mediterranean enlargement round transitioned quickly from not being free (the case of Spain) to free in just two years. In the accession process, all three countries considered were already assigned as *free*, according to Freedom House. Since then, the data provided by the Freedom House Index shows no evidence of democratic backsliding for Greece, Spain, and Portugal. The same applies to the countries joining the EU in the recent enlargement rounds: Bulgaria, Romania, and Croatia.

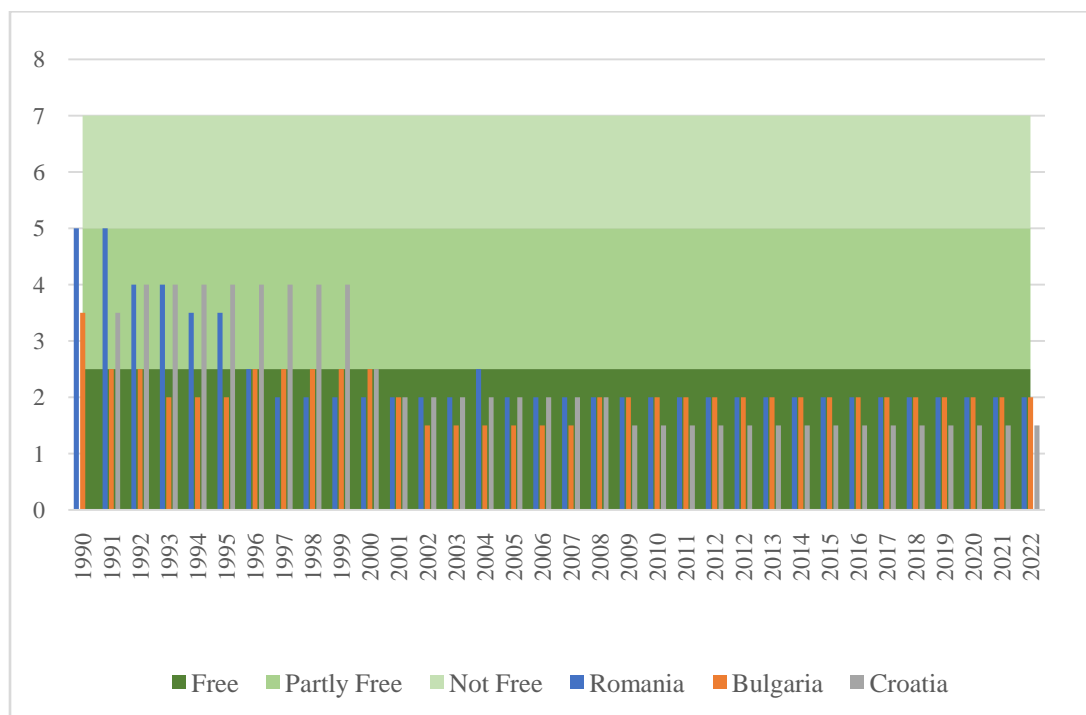


Figure 2: Freedom Status (Romania, Bulgaria, Croatia) (Source: Authors' illustration; Freedom House 2023)

As represented in Figure 2, democratic values were consolidated relatively quickly, considering that Bulgaria has been *free* since 1991, Romania since 1996, and Croatia since 2000. Although Bulgaria has shown some minimal fluctuations in terms of regress, there is no evidence of democratic backsliding, according to the data provided by Freedom House.

On the other side, Figure 3 shows that all Western Balkan countries, taken into consideration, have faced significant challenges in terms of democratic consolidation and strengthening political and civil rights. While all six countries are considered *partly free* according to the latest Freedom House reports, there have been some fluctuations and regressions in democratic progress over time.



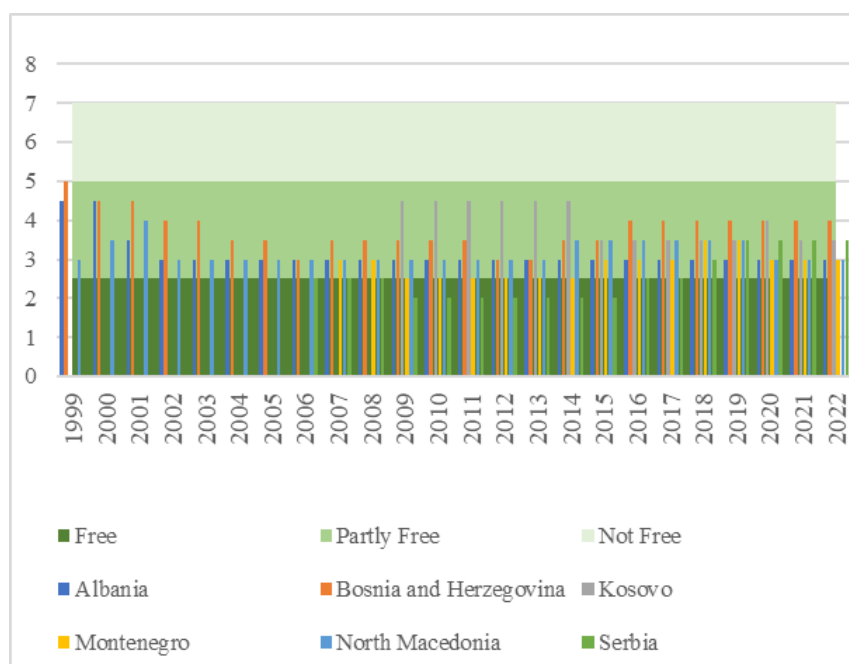


Figure 3: Freedom Status (Western Balkan countries) (Source: Authors' illustration; Freedom House 2023)

Figure 3 shows that Albania has been categorized as *partly free* throughout the whole period, with no significant improvement or decline in its democratic performance since 2002. While Albania has not shown any evidence of democratic backsliding, its democratic performance has stagnated, indicating a lack of progress toward greater political and civil rights. The categorization as *partly free* also applies to Bosnia and Herzegovina, which has had recourse in terms of democratic backsliding since 2008, resulting in a decline in political and civil rights and, as such, being classified as one of the worst-performing countries in the Western Balkans.

Considerable progress was achieved by only two countries of the WB region, namely Montenegro and Serbia. Montenegro was categorized as *free* between 2009 and 2014, indicating improvement in its democratic performance.

On the other hand, evidence shows that Serbia was once considered the best performer in the region, as it presented the best values compared to its neighbors. Serbia is the only country among the WB6 considered *free* for over ten years. However, since 2017, there has been an evolving regress and democratic backsliding, which resulted in being categorized as *partly free*.

Although all Western Balkan countries fall under the same categorization, it must be emphasized that regress in terms of democratic backsliding is most evident in Bosnia and Herzegovina, Kosovo, and Serbia. Despite these country-based insights, the Freedom House Index indicates smaller differences between the WB6 related to political and civil rights compared to some years ago.

Other interesting findings are presented by the evidence provided by Nations in Transit (Figure 4). In contrast, it seems that being a semi-consolidated democracy is sufficient to become an EU Member State.

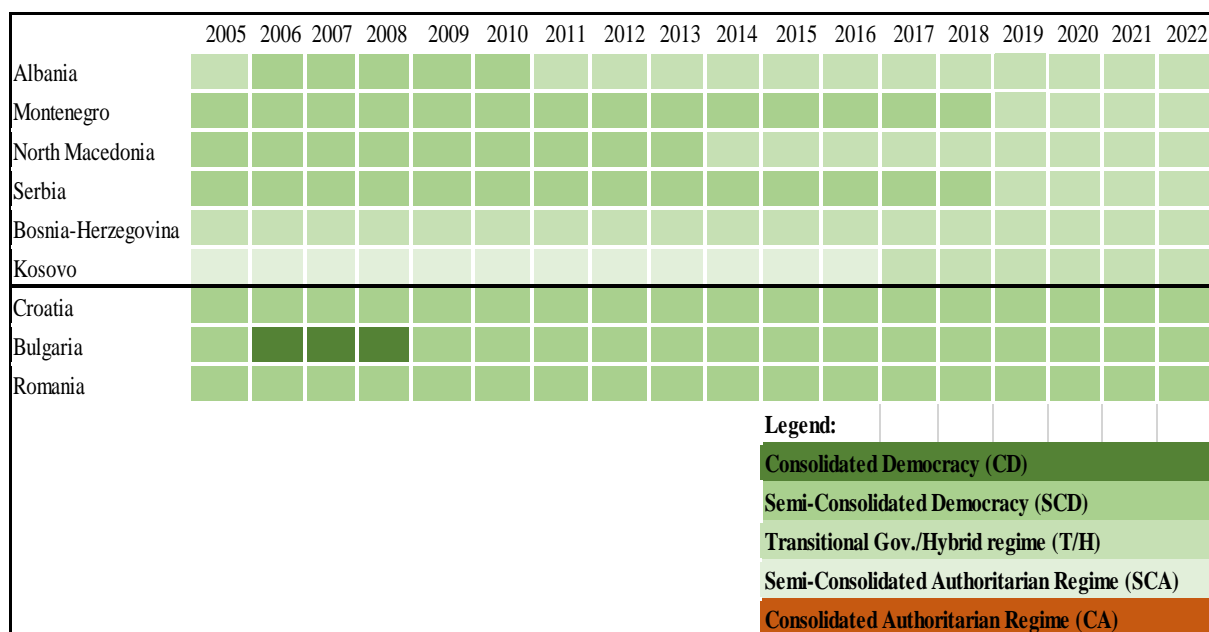


Figure 4: Democracy Score Over Time (2005-2022) (Source: Authors' illustration; NIT 2022)

While Romania and Croatia were considered *semi-consolidated democracies* throughout the whole period, Bulgaria was a *consolidated democracy* between the years 2006 and 2008 and then fell back into the categorization of a semi-consolidated democracy due to its decline of democracy percentage measured.

Based on the data provided by Nations in Transit for the Western Balkan countries from 2005-2022, the analysis of the democracy percentages and the related regime classifications indicates (Figure 4) that the most common regime classification for the Western Balkan countries is that of a *transitional* or *hybrid regime*, meaning that those countries are still in the process of transitioning towards greater democratic consolidation. Kosovo shows the lowest level of democracy percentage compared to other Western Balkan countries. However, it is the only country in the region that has shown signs of constant progress, upgrading from a semi-authoritarian regime to a transitional one.

On the contrary, the democracy percentage of Albania, Serbia, and Montenegro declined, leading to a downgrade of regime classification. While Albania was considered a semi-consolidated democracy between 2006 and 2011, indicating a relatively high level of democratic performance during that period, Serbia and Montenegro were the best performers in the region, being categorized as semi-consolidated democracies in the timespan from 2005 until 2018. However, data emphasizes that most WB6 faced significant challenges resulting in democratic backsliding and back-shifting to transitional and hybrid regimes.

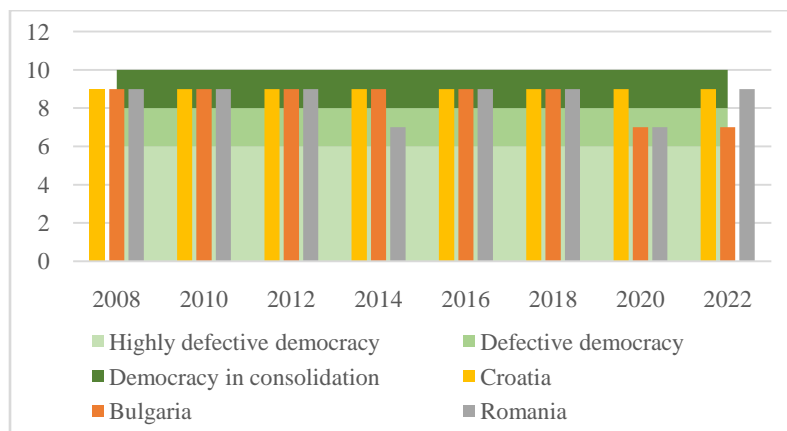


Figure 5: Democracy Status (Bulgaria, Romania, Croatia) (Source: Authors' illustration; BTI 2022)<sup>1</sup>

Also, the Bertelsmann Transformation Index (BTI) shows, in general, a higher democratic standard when comparing Bulgaria, Romania, and Croatia to the WB6. Nevertheless, as Figure 5 indicates, although Bulgaria was categorized as a democracy in consolidation for most of the time, a democratic backsliding has been evident since 2020, turning Bulgaria into a defective democracy, according to BTI. While Bulgaria exhibited signs of regression in 2014 and 2020 and was described as a defective democracy, it is noteworthy that Romania also experienced similar setbacks during those years. Nevertheless, it is essential to emphasize that, as evidenced, the three countries under consideration were primarily democracies in a phase of consolidation.

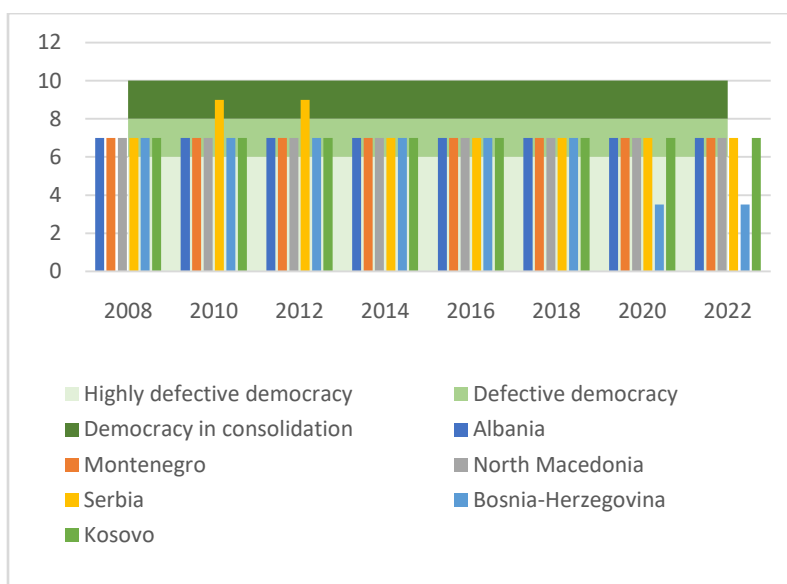


Figure 6: Democracy Status (Western Balkan countries) (Source: Author's illustration; BTI 2022)

<sup>1</sup>For the purpose of this analysis, categories of "hardline autocracies" and "moderate autocracies" are excluded.

In the meantime, it is reflected (Figure 6) that all six Western Balkan countries are and were, mainly throughout the whole period taken into consideration, defective democracies.

Evidence indicates two particular moments for Serbia and Bosnia and Herzegovina: while Serbia made some efforts to perform democratic standards better and improving slightly their democracy status, being categorized as a moderate democracy or democracy in consolidation in the years 2010 and 2012, Bosnia and Herzegovina shows the highest decline in terms of democracy status compared to other countries of the region, being the only WB country considered a highly defective democracy.

### **Discussion on Findings: Influencing Factors on the Weakened EU's Transformative Power**

As the creation of stable systems cannot be in the EU's long-term perspective, especially considering a region that hopes to join the European family as soon as possible, it is essential to elaborate on the main reasons impacting, firstly on the non-complete democratization of the WB6, and secondly, the determination of the EU to influence, beyond mere stabilization, the radical democratic transformation of the region. Considering this, we must admit that the reasons hampering the consolidation of democracy are to be categorized by a two-fold approach. In contrast, the reasons are both EU-driven and country-specific. In addition, the reasons are also explained by the driving forces of a broader geopolitical context.

Firstly, the EU's ability to justify and further enhance its role as a promoter of democracy in the WB6 has been limited mainly due to its lack of reciprocal willingness. The Western Balkan countries' accession process is characterized by a slow and tedious pace of progress, reflecting a stagnating or probably a regressing transformative power of the EU.

Although the EU offered the prospect of membership to the countries in the region nearly two decades ago, the accession process has been slow, with many delays and particularly uncertain, which has not only limited the incentives for reforms but opened the gate for other external actors. Uncertainty, in terms of clear timelines, was often criticized as it "leaves the EU unable to exert time pressure on the governments of the region to carry out necessary democratic reforms" (Renner and Trauner 2009, 462). From the analysis, it is evident that the expected impact of the EU is not transposed in a substantial democratic performance of WB countries, mainly Serbia, Montenegro, North Macedonia, and Albania.

Despite the long and tortuous path toward EU membership, the current internal debates within the EU about the enlargement process and the criteria for accession have created additional uncertainty for the region, resulting in non-consistency when achieving benchmarks. Despite the EU's proactive role in advocating democratic values and concepts, we must acknowledge that the EU lacks a transparent assessment methodology when it comes to measuring the democratic performance of various political systems. This lack of clarity led to difficulties in translating political criteria benchmarks (Dimitrova 2016, 10), which, in the end, must be held accountable for the more significant difficulties in assessing the countries' democratic performance by the monitoring reports from the European Commission.

In addition, the lost credibility in the EU's method of sticks and carrots contributes to a hampering effect of democratic transformation in the WB6. On the one hand, this is attributed to a lack of determination in addressing failed progress in democratic reforms (Kmezic 2019, 99) and, on

the other side, caused by the EU's failure when it comes to rewarding progress. Scholars argue that the lack of rewarding progress is mainly attributed to institutional issues and the so-called institutional paradox in enlargement policies (Vogel 2018, 27). As a result, the lack of common understanding between existing Member States drags the whole enlargement process for the region (Vogel 2018, 23).

It seems that the protracted enlargement process has limited the momentum for deeper democratic reforms in the West Balkans. This is endorsed also by the fact that countries that have been granted candidate status have typically made greater progress in implementing democratic reforms than those that have not. One can argue that they have benefited from greater access to financial and technical assistance from the EU, enabling them to make further progress in areas related to their democratic performance. However, on the other side, it is also important to note that the Western Balkan countries with a granted candidacy status still face significant challenges.

In 2020, the EC adopted a New Enlargement Methodology as a revised enlargement instrument to be applied to Albania and North Macedonia. This new methodology aimed to boost and reinforce the negotiation process, transforming it into a more political, more exigent and dynamic, more transparent and credible, and less bureaucratic process. A stronger focus has been put on the rule of law, given that anti-corruption work has been mainstreamed in relevant chapters. In order to address profound political transformation, there has also been a heightened emphasis on the fundamental aspects of democratic institution operation, public administration reform, and the support of economic reforms. Progress on the fundamental reforms will determine the overall pace of negotiations (EC 2020). However, it is also articulated that this new methodology is and probably will be, too recent for any visible results in the short term (ECA 2022).

However, political realities cannot be altered if the recipient acts stubbornly. Secondly, one of the main challenges the EU faces in its efforts to promote transformation in the Western Balkans has been the insufficient domestic political will to drive the necessary reforms in the whole region of WB (ECA 2022). Despite the EU's support for democratic institutions and the rule of law, corruption, and political patronage remain significant obstacles to reform in many countries in the region. In most WB6 countries, this lack of political will, combined with internal instability, results from partocratic regimes defined by a strong elite dominance (Lemstra 2020, 4).

This is most noticeable in times of crisis or extraordinary circumstances, as it was highlighted further during the Covid-19 pandemic, contributing to a further deterioration of democracy in the region (Dafa 2020, 10). To address these challenges and strengthen its transformative role in the Western Balkans, there is further emphasis on the need for the European Commission to (1) strengthen the mechanism for promoting rule of law reforms in the enlargement process, (2) intensify support for civil society engaged in rule of law reforms and media independence; (3) reinforce the use of conditionality in IPA III; and (4) strengthen project reporting and monitoring (ECA 2022).

In addition, the EU's ability to transform the region has been put to the test and, in some cases, also limited by the broader geopolitical context. The region has been subject to competition between external actors, including Russia, China, and Turkey. Besides Russia, which has always had a more proactive role in some parts of the Western Balkans, in recent years, a more active engagement of China in the WB6 has been noticed, especially after the Covid-19 outbreak and the so-called "mask-diplomacy" as highlighted by scholars such as Ilik and Shapkoski (2022, 104).

Nevertheless, Russia's influence in the region is particularly evident and, now more than ever, crucial in determining the WB6's political direction. From a historical point of view, the Western Balkans represent an area where Russia tries to be a long-time actor. It seems evident that the Kremlin has relatively strong historical ties with the Balkan countries and holds a relatively soft power attraction for them, especially for Serbia. Historical ties go back to the 19th-century Pan-Slavic movement and Russia's support for Serbia's independence from the Ottoman Empire (Stanicek and Caprile 2022).

Finally, religious connections are also very important for Slavic countries in the region. More specifically, Moscow plays the shared cultural and religious ties card among the region's Orthodox Christian population, which constitutes significant percentages in Bosnia in addition to majorities in Serbia, Montenegro, and North Macedonia. Thus, Serbia has been perceived as Russia's kin state in the region (Karcic 2022). This is especially important when religious connections are usually considered gate-openers for more consequential deals, including in strategic sectors such as energy and real estate, and hence gradually lead to political and economic dependence (Karcic 2022). In general, the political influence from abroad has complicated the EU's efforts to promote stability and democracy, particularly given the region's strategic location and natural resources.

## CONCLUSION

The EU's transformative potential is fully achieved at the Mediterranean enlargement and shows signs of weakness in the following enlargement rounds. Especially in the WB region enlargement wave, it is confirmed and evident that the EU has a hampered transformative role due to various reasons.

Despite the EU's evolution from formal criteria to conditions on substantive democracy showcasing its role as a democracy promotor, the lack of formal mechanisms to regulate and monitor compliance among Member States and troubled candidate states raised concerns by not only hampering the EU's commitment to further enlargement rounds but rather calling into question the EU's role as a transformative power.

Although the EU has acted as a key factor when it comes to democracy promotion in the Mediterranean enlargement, its ability to act continuously as a transformative power has been limited by a wide range of factors that are mainly EU-driven. Indeed, the complexities and difficulties encountered in previous enlargement rounds led to a cautious approach toward future enlargement rounds. The EU became more mindful of the need for effective mechanisms to monitor compliance and address potential challenges. This awareness contributed to the hesitance surrounding the inclusion of further enlargement rounds in the EU's political agenda, which led automatically to a protracted process of adhesion for the Western Balkan countries.

A distinction between the EU's transformative inputs and the WB region's capacity to absorb and deliver outcomes must be considered. The lack of democratic performance of the WB6 is not just an EU failure. However, it is part of a vicious circle that goes along with considerable internal political instability, including the (lack of) commitment of governments to reform, which contributes significantly to the democratic performance of the Western Balkan countries. When criticizing the EU for its lack of transformative power, one should be aware of the difficulties and challenges this region

poses as the powder keg of Europe, with all its wars, historical and cultural ties with external actors, and a distinctively different political culture.

Nevertheless, it is essential that the EU, especially in times of uncertainties and crisis, rethink and revitalize its democracy-promoting mechanisms to rebuild and re-test itself as a transformative power. Given the EU's inability to transform the Western Balkan countries into consolidated democracies, new questions may arise and become subjects for further research. Firstly, one should elaborate on the non-linear and non-constant path of transforming the WB6, which is related to a so-called paradigm shift of the EU in assessing democratic performance. The EU's transformative power would be challenged in this context due to a changed theoretical approach. This approach is especially intriguing when considering that, as shown also with the example of Romania, existing EU Member States have experienced democratic backsliding, which raises concerns about the overall state of democracy in the EU.

Secondly, although one can argue that it is important to distinguish between individual Member States' democratic challenges and the EU's commitment to democratic governance as a collective entity, the trend of democratic decline may hamper the maintenance of democratic standards of the Union in general and lead (un-)willingly to a paradigm shift in conditionality policies. This, in turn, questions whether the EU is about to reshape itself from a transformative power into a guardian of stabilitocracies. Is it assumable that the EU will be satisfied with consolidated stabilitocracies instead of consolidated democracies? In other words, will being a stabilitocracy be enough for joining the EU? This question is particularly important considering further enlargement rounds with countries such as Ukraine, Moldova, and Georgia. Finally, it is crucial to analyze whether the Western Balkan countries (or at least some of them) will internalize themselves as a spoiler, creating a club of spoilers, to challenge the EU's democratic paradigm by questioning or even transforming it.

## CRediT AUTHOR STATEMENT

**Doris Malaj:** Conceptualization, resources, writing - original draft (lead), writing - reviewing and editing, supervision.

**Elena Polo:** Methodology, formal analysis, writing - original draft (supporting), visualization.

All authors have read and agreed to the published version of the article.



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
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



# NEW MODEL OF TERRORISM THREAT IN INDONESIA: EAST JAVA CASE STUDY

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**Abstract:** *This article discusses a new model of the threat of Indonesian terrorism, especially in the East Java region. Indonesian terrorism continues to grow even more dangerous than before because terrorism has a dynamic nature following the times. The research method for this article was a literature study, with data collection techniques using the Harzing PoP 8 application and some data from Google Scholar. The relevant references collected were converted into RIS data types using the Mendeley application. The RIS data was then processed using VOSviewer software to visualize data about previous research related to a new model of the Indonesian terrorism threat. The authors found that terrorism has survived to this day because it found new ways of recruiting and carrying out its acts of terror. Terrorism no longer focuses on a man as the perpetrator but involves women and even children in their actions. Terrorism can also utilize technological sophistication to support group movements and their acts of terror. This is evidenced by the blocking of 600 social media accounts by BNPT, which often uploads radical content in Indonesia.*

**Keywords:** *Children; Indonesia; Terrorism; Threat; Women*

## INTRODUCTION

East Java is an Indonesian territory that has become a strategic place for the development of terrorism. It often becomes a highlight in national online news related to terrorist arrests. In 2021, East Java was referred to as a terrorist emergency red zone and the spread of extreme radicalism (Toriq 2021). Because of this, the National Counterterrorism Agency (BNPT) has determined four areas for terrorism control in East Java: Surabaya, Lamongan, Malang, and Magetan (Pratiwi and Faizal 2022). In the same year, during the second wave of the Covid-19 pandemic, Densus 88<sup>1</sup> succeeded in arresting 22 suspected Jemaah Islamiyah terrorist group members spread across Bojonegoro, Malang, Mojokerto, Surabaya, and Sidoarjo (Kominfo 2021). This terrorism cannot be separated from the influence of the global terrorist groups al-Qaeda and ISIS, which want to expand their network. Both al-Qaeda and ISIS have strategies and tactics to gather strength in various countries. In al-Qaeda's strategy, they build group strength and military quality by requiring members to undergo formal education and physical training before joining Jihad. While ISIS has a different pattern, it does not need strong members if it wants to commit Jihad. ISIS tends to gather strength by utilizing social media for mobilization, recruitment, and other jihad actions (Sholeh 2016).

<sup>1</sup> Established on June 30, 2003, in response to the 2002 Bali bombings, Counterterrorism Special Detachment 88, also known as Densus 88, is a top-tier counter-terrorism squad within the Indonesian National Police.

This difference then influences local terrorist groups in carrying out terror acts throughout Indonesia, where local terrorist groups design new attack methods that are not detected by the security forces (Wicaksono 2018). One of them is the involvement of women and children in acts of terrorism.

Several of the 2018 bomb attacks in Surabaya became concrete evidence of ISIS' new strategy in propagating the group's ideology. The act of terrorism that occurred in mid-2018 was a new chapter of the threat of terrorism because the perpetrators were a family who had just returned from Syria, namely, Dita Oepriarto (father), Puji Kuswati (mother), their two sons and two daughters (Qori'ah 2019). The unexpected bomb explosion left 13 people dead and dozens injured. In addition, a professor of sociology at Airlangga University revealed that the bomb attack was an attack that shocked the people of East Java, especially Surabaya, because, since the 2000 Mojokerto Christmas bombings, the atmosphere in Surabaya was very conducive. Hence, the explosion triggered panic and confusion simultaneously (Asiyah et al. 2020). Their attack has shifted the method of terrorist attack in Indonesia's history, which was isolated primarily to individuals and currently has been bringing their family members. In the case of the Surabaya bombing in 2018, Dita's family supports the terrorist group Jamaah Ansharut Daulah (JAD), a local Indonesian terrorist group affiliated with ISIS (Alfarisy 2021).

In various countries, acts of terrorism involving women have been carried out by several terrorist groups, such as the Syrian Social Nationalist Party (SSNP), Irish Republican Army (IRA), Boko Haram Group, Red Brigades, and so forth (Musfia 2017). However, involving women and children as perpetrators of terror in Indonesia creates societal anxiety. Terrorist groups tend to use women as mothers to transmit radical ideologies to their children, even though the image of women is always depicted as creatures full of love and tenderness (Qori'ah 2019).

Based on the description above, this research answers how to model the threat of terrorism in Indonesia, especially in East Java. According to Harmon, 30% of international terrorists currently include women in their actions, and this has been seen in Indonesia, where Dian Yulia Novi, a woman who planned to attack the State Palace bombing, and Ika Puspitasari, who planned to detonate a bomb in Bali (Hartana 2017). The involvement of women or their wives and children as terrorist actors is carried out to deceive the security forces because women and children are rarely investigated (Lindawati 2018). Therefore, this study discusses the terrorist threat with their new terror strategy.

## METHODOLOGY

This article used a literature study with secondary data from the Google Scholar website. Some data were collected using the Harzing PoP 8 Application, with the keywords: children, Indonesia, model, terrorism, threat, and women. In addition, the authors used several references from national news to help complete information related to the topic under study.

The data analysis was carried out with several applications, namely by entering all relevant references into the Mendeley application to be converted into RIS data types. RIS data was reprocessed using the VOSviewer application, which displayed the most researched data visualization and the relationship of each keyword in the reference. Through Figure 1, the authors expect readers to understand how the relationship between women, children, and cyber is a terrorism threat.

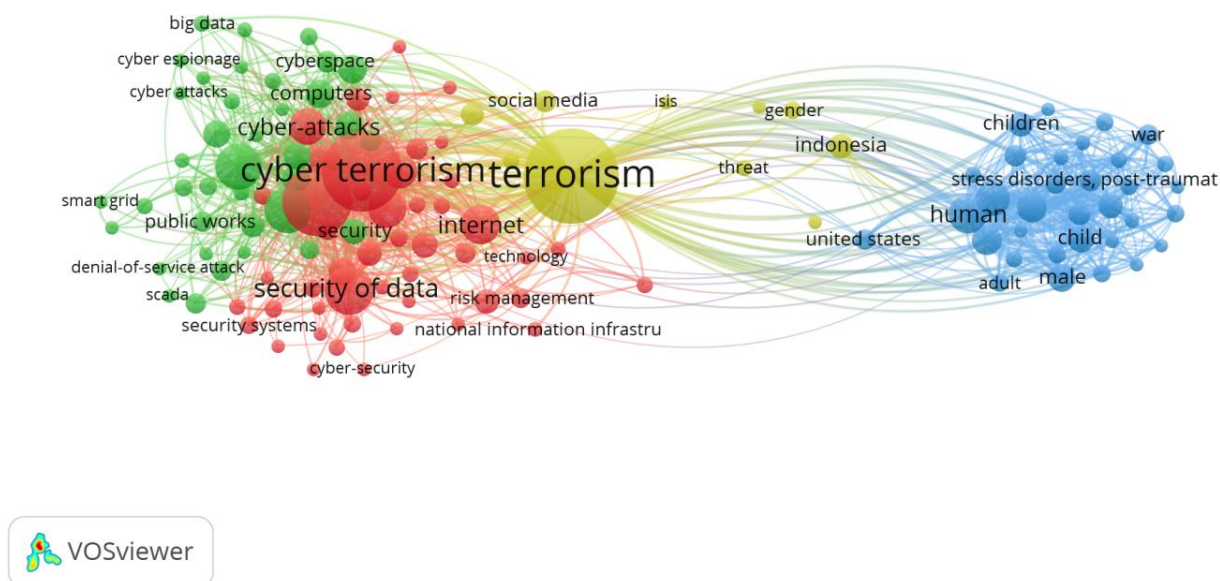


Figure 1: Co-occurrence of Terrorism Threat in Indonesia (Source: Authors' depiction)

The above co-occurrence is the visualization of the linkage of keywords in the references the authors have collected. Among the many keywords that exist, the word terrorism is the biggest. The point of terrorism that appears more prominent among other keywords means that there is much research related to terrorism. Different keywords are factors that influence terrorism, whether they have a small or large impact.

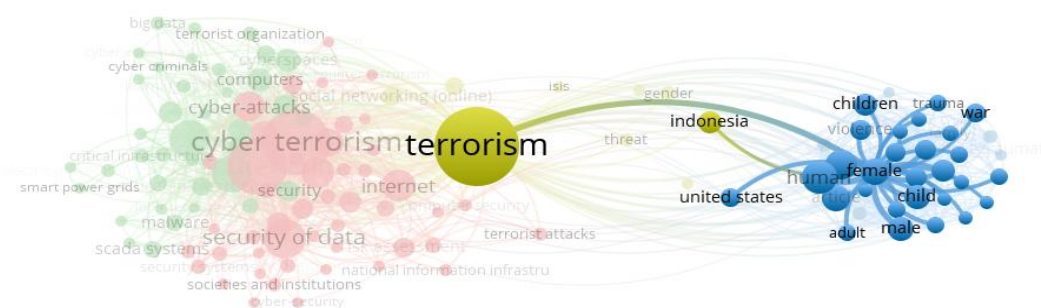


Figure 2: Co-occurrence of Female and Terrorism (Source: Authors' depiction)



While the second co-occurrence is an example of another keyword that affects terrorism, the authors refer to females. As seen, female is related to several words such as terrorism, Indonesia, children, male, social aspect, and others.

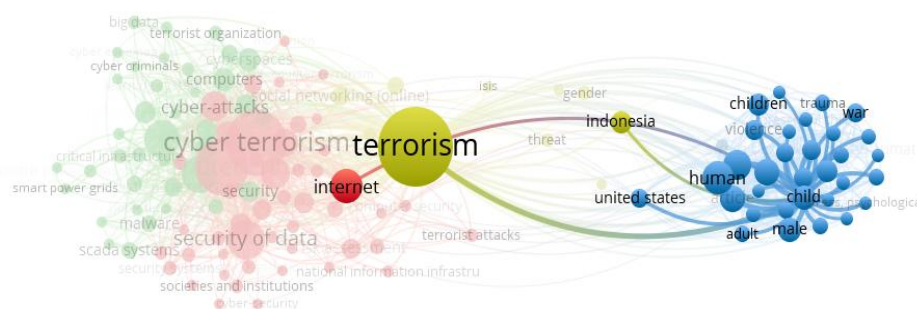


Figure 3: Co-occurrence of Children and Terrorism (Source: Authors' depiction)

The authors also visualize the children's relationship with terrorism. Like the female above, the children are related to several essential keywords, such as terrorism, Internet, adult, family, coping behavior, and female. This visualization shows the relationship or influence of each existing keyword on the topic of terrorism to be researched. Through this visualization, the authors hope readers can understand the authors who discuss Indonesian terrorism related to women, children, and cyber as the spread of the radical ideology of terrorism.

## FINDING AND DISCUSSION

Historically, Indonesian terrorism has never been separated from the terrorist attacks in 2000. However, the 2018 suicide bombings in Surabaya, East Java, and 2019 in Sibolga, North Sumatra, signaled the birth of a new pattern of the role of women and children in Indonesian terrorism, which was previously passive and has now become active (Achsini 2019). In addition, technological advances have facilitated terrorist groups to spread their understanding of Indonesia through online magazine propaganda and to try to influence Indonesian Millennial Muslims to become their representatives (Affan 2018).

### Involvement of Women or Wives and Children as Terrorists

The issue of terrorism and radicalism in Indonesia cannot be separated from the fundamental problems, namely, economic backwardness and political injustice. These conditions gave birth to groups demanding justice, rejecting ongoing conditions, and wanting complete changes quickly, even though radically (Rahmatullah 2017).

Since the 2000s, radical groups or terrorist suspects who carry out terror acts in Indonesia have been identified with men. Some examples were Santoso, the early leader of the East Indonesia Mujahidin, Noordin M Top, terrorist actors involved in the 2000 Christmas Bombings, the 2003 Marriot Bombings, and the Bombings at the Australian Embassy in 2004. Moreover, Dr Azhari or Azhari Husin, a terrorist from Malaysia who was involved in the Bali Bombings I and II, the Marriot Bombings, Amrozi, and Ali Gufron are examples of men involved in terrorist groups (Sani 2021). However, since 2018, a new threat has been born regarding the perpetrators of the Indonesian bombing terror, in which women and children are involved in jihad actions.

Several reasons can explain why women join and become terrorists. First, most women join radical Islamic state groups of free will. Second, they are driven by personal problems, such as economic, social, or political problems, which make them start a religious search and explore the various options of Islamic groups available (Nuraniyah 2018). However, in their actions, most women are only more active in domestic terrorism movements than in international groups (Gonzalez-Perez 2008). The role of women was previously limited to being the primary target for acts of brutal terrorism. Some examples are those carried out by the Nigerian Boko Haram group and terrorist groups in Iraq, Syria, Lebanon, Afghanistan, and Pakistan, where women are always considered weak creatures, vulnerable and helpless. Hence, they become victims of hostages (Mulia 2019). Over time, the role of women slowly shifted. Women are considered loyal creatures, so they are believed to be dedicated to carrying out jihad actions. For example, Susilo Putri Munawaroh's wife, along with Noordin M Top's second and third wives, Munfiatun and Ariana Rahma, protected and hid Noordin M Top, Quqayah bint Husen Luceno who protected and helped hide her husband Umar Patek's information. Even Deni Carmelita, the BNN secretary, was found guilty of obstructing the investigation of Pepi Fernando, the Serpong bomber (Asiyah et al. 2020).

Regarding the spread of radicalism, Indonesian women are divided into some groups that have the potential to be involved in ISIS. The first group is the female migrant workers in the Middle East and East Asia. The reason is that a high level of confidence and competence in Arabic and English characterizes this group. Expertise in using technology will enable them to form communities and recruit and collect donations. The second is the women who join ISIS because they are part of the families of jihadists, usually women who marry because of the influence of ISIS propaganda. The third deported citizens, those who wanted to join ISIS to unite with their husbands but were arrested or deported, ultimately made women more radical and frustrated (Resnyansky et al. 2022). The presence of female militants is valid for terrorist groups in supporting male jihadis because, in practice, women are involved as wives or mothers to raise the next generation. In addition to supporting male jihadis, women are also used by terrorist groups to facilitate the group's propaganda, logistics, recruitment, and fundraising (Jadoon et al. 2020).

The bombings in 2018 in Surabaya showed that women involved in terrorist groups had a dual role in which a JAD combatant, Dita, applied Islamic law that his wife, Puji, must obey her husband, so she was obliged to carry out a suicide bombing mission. As a wife, Puji transferred a radical understanding to her children to do the same thing as her parents did (Achsin 2019). In Indonesia, children as perpetrators of terrorism are not clear about the law regarding the existence and doctrine they receive because of their parents.

Children are considered individuals who are not physically, mentally, and socially ready, so children are very vulnerable to actions from adults (Sondakh et al. 2020). Children are considered

emotionally immature individuals, and in the case of terrorism, children are only mediators because children only receive the results of exposure from their parents, family, or surrounding social factors that affect their psychology (Nadeem et al. 2022). Based on this, terrorist groups take the opportunity to commit terror acts. Children become a way to deceive because there is little potential for suspicion (Lindawati 2018).

In addition, children become terrorists usually because there is coercion and threats from adults, as happened to underage girls kidnapped by the Boko Haram group, where they were forced to become suicide bombers in the Maiduguri military power center (Mulia 2019). As for the case in Surabaya, whether through threats or not, Dita's sons Yusuf (18 years old) and Firman (16 years old) managed to enter the Immaculate Santa Maria Church and blew themselves up during the mass. Without waiting long, from a different place, Praise the wife and her two daughters, Fadhila (12 years) and Famela (9 years), who blow themselves up at the Indonesian Christian Church (Tabrani 2019). Then, a day later, still from the same terrorist group but different families carried out the same action at the Surabaya Police Station. The suicide bombers were headed by Tri Murtiono (husband), Tri Ernawati (wife), Muhammad Daffa Murdana (19 years old), Muhammad Darih Satria Murdana (15 years old), and Aisyah Assahara Putri (8 years old). However, the princess is said to have survived the bomb explosion (Wicaksono 2018).

This incident shows that with the strategy of involving women and children in implementing jihad terrorism, they have the upper hand because they succeeded in carrying out bombings with many casualties. According to data published by the Global Terrorism Database, the bomb explosion that occurred less than 25 hours in Surabaya caused approximately 40 people to be injured and 10 people to die (Database 2021). Women who are used as wives by mujahid have different principles: partners who take care of the household and supporters of the husband's spirit and can even represent leading the household when the husband is in Jihad (Jusman 2016). As creatures seen as vulnerable and helpless, women have been married by mujahideen for further radical ideological doctrine since the beginning of the marriage.

After successfully implanting radical understandings, such as the idea that as the wife of a mujahid, the mother is no longer merely a teacher (*ustadzah*) for the children but also a combatant who assists her husband, women have made a significant contribution in a short time. Ika Puspitasari, Nurul Azmy Tibyani, and Rosmawati are other examples of women's roles as suicide bombers and hackers who divert funds from company websites to their group accounts (Asiyah et al. 2020). Jadoon, who conducted research by collecting data on female militants who belonged to international terrorist groups, said that women's participation increased from 2015-2017. Most of them joined ISIS, and they created new strategies for local terrorist groups (Jadoon et al. 2020).

### Cyber Path as Ideology Spreading Strategy and Attack

In addition to women and children, cyber paths or technological advances are also a strategy for acts of terrorism in Indonesia, especially in East Java. In East Java, the terrorist group Jamaah Ansharut Daulah was the most active, and this group was the mastermind behind the bombing in Surabaya involving women and children.

The dominant terrorist group in East Java is referred to as a terrorist group that is less structured and systematic because of the process of recruiting and regenerating members of the

group (Syeirazi 2018). As a group heavily involved in action in East Java, JAD usually conducts a recruitment process or dissemination of understanding through *halaqah* or *taklim* assemblies. The target is young people who want to learn about religion and seek identity (Alfarisy 2021).

However, to gather large numbers of followers quickly, this ISIS-supporting terrorist group uses technology to spread its propaganda and ideology. This strategy is closely related to the ISIS group, which aggressively influences Indonesian millennial Muslims to carry out operations independently (Affan 2018).

It should be noted that the reason for using this strategy is not technological sophistication, helping terrorists create a new generation of jihadists who are not limited to a country and are not limited in the number of followers (Awan 2017). In addition to unlimited reach, the Internet allows new ways to make terrorist groups continue to grow because today's people's daily lives cannot be separated from the Internet (Jangada Correia 2021). The Internet plays an essential role in terrorist financing efforts. The Internet helps terrorist groups build networks to raise funds and transfer their wealth throughout the international system (Tierney 2018). The dissemination via the Internet is also targeted at young people. Young people are known as people who quickly master virtual spaces because of curiosity. Cyberterrorism is referred to as modern terrorism because the network attacks psychologically by spreading disinformation, intimidation, panic, fear, and public threats (Vilić 2017). These acts of terrorism via the Internet utilize several applications, such as Twitter, Facebook, YouTube, Myspace, LinkedIn, and Digg, as a forum for content about their understanding (Khan et al. 2019). Terrorist acts are not limited to that. They also recruit through video games and websites and communicate with the help of applications (Deshpande and Thakare 2019). Because of this strategy, they are called innovative and reliable in acting.

Using cyber paths as a strategy makes planning attacks by terrorist groups difficult to prevent. Because the cyber route is considered adequate and efficient for spreading radicalism, even with unlimited access, fast, cheap, and easy (Hatta 2018). The cyber path fosters radicalism through a partial understanding of the content. It tends to create misunderstandings about the term Jihad, which results in the meaning of the struggle against lust turning into actions that destroy to kill (Indraswari and Wiswayana 2020). In simple terms, they tend to design violence in such a way as to create extreme fear.

For example, Aman Abdurrahman, a fellow jihadist with Abu Bakar Baasyir, well-known as the founder of Jamaah Ansharut Daulah (JAD), uses his blog to publish articles and translate books about radicalism. Many times, Aman even gives orders for acts of terror (Caruban 2020). Aman's various writings were able to build and influence local Indonesian ISIS networks. Even because of this, Sydney Jones, a member of the Institute for Policy Analysis of Conflict, revealed that Aman was more radical and had more significant influence than his predecessor, Abu Bakar Baasyir, as the leader of Jamaah Islamiyah (Republika.id 2018). Imam Samudra also distributes via the Internet. Imam even openly wrote about his views on the role played in the 2002 Bali Bombings. Imam said that the Internet is essential as a medium for acts of terrorism because the Internet provides opportunities for propaganda and hacking (Sholeh 2016).

In early 2021, an observer of terrorism, Al Chaidar, revealed that the JAD terrorist group was involved in a bomb attack at the Makassar Cathedral Church. This group, recognized for its dominance in East Java, has evolved into the most brutal terrorist organization in Indonesia due to its growing strength on social media, enabling them to recruit members across 19 provinces in Indonesia

(Rahayu 2021). One of their content channels is the Annajiyah Media Center, an ISIS support group disseminated on social media platforms such as Telegram and Facebook. This center distributes posters and propaganda to facilitate the execution of Amaliyah's actions (CNN 2022).

In addition, JAD terrorist links also use Instagram to promote their ideology and propaganda. The National Counterterrorism Agency (BNPT) said that throughout 2021, approximately 600 accounts were actively spreading radical content, and from 2017 to 2021, Kominfo blocked 21,330 content from various Indonesian social media (Wahidin 2022).

## CONCLUSION

The description above illustrates that Indonesia is facing a severe new terrorist threat. They are starting from the role of women, shifting from being gentle and loving to women who are equal to men in Jihad, such as suicide bombers, managing funding, and recruiting. Even considered loyal creatures, jihadists make their devoted wives supporters and are required to be able to transfer knowledge to their children. This terrorist threat becomes even more concerning because children are the successors of adults who will carry on their parents' struggle. In connection with terrorist threats via the Internet or cyber channels, terrorist groups will persist in developing their networks in response to ongoing developments. Consequently, the Internet may facilitate the emergence of numerous terrorist acts capable of breaching high-security measures. The discovery of 600 radical accounts by the BNPT throughout 2021 illustrates how significantly terrorist groups exert influence across all levels of society.

## CRediT AUTHOR STATEMENT

**Gonda Yumitro:** Conceptualization, methodology, and writing - reviewing and editing.

**Rizki Febriani:** Investigation and data curation.

**Ali Roziqin:** Formal analysis and investigation.

**Sukma Oktaviani:** Writing - original draft preparation.

All authors have read and agreed to the published version of the article.

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# THE PARADOX OF ASEAN WAY IN MARINE PLASTIC POLLUTION: THE CHALLENGE OF COMPLIANCE AMONG MEMBER STATES

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**Abstract:** ASEAN countries are considered significant contributors to global pollution, particularly concerning marine plastic pollution (MPP), which has emerged as a critical concern in the region. To address this issue, ASEAN has established three specific instruments: the Bangkok Declaration on Combating Marine Debris in 2019, the ASEAN Framework of Action on Marine Debris 2019, and the ASEAN Regional Action Plan for Combating Marine Debris in the ASEAN Member States 2021-2025. However, being soft laws, these instruments lack legally binding force, allowing states to choose not to implement them effectively and promptly, leading to low compliance rates. The root cause of this compliance challenge lies in the ASEAN Way's foundational principle, which promotes non-intervention, resulting in non-legally binding instruments. This raises genuine concerns about the potential inefficacy of implementing ASEAN instruments. Nonetheless, the issue of marine plastic pollution is considered a contemporary environmental catastrophe in the region, demanding Member States to prioritize compliance. Hence, this study delves into two key issues: (1) the ASEAN Way and compliance and (2) regional mechanisms to bolster Member States' adherence in combating marine plastic pollution.

**Keywords:** ASEAN; Member States; Compliance; Regionalism

## INTRODUCTION

Southeast Asian nations have gained notoriety as major contributors to global pollution, particularly in marine plastic pollution (MPP), which has become a pressing issue in the region. A study conducted by Jambeck in 2015 revealed that six out of the eleven Southeast Asian countries rank among the top twenty countries with the highest amounts of mismanaged plastic waste (Jambeck, Geyer, and Wiloex 2015). The countries with the highest contribution to marine plastic pollution in the region are Indonesia (second), the Philippines (third), Vietnam (fourth), Thailand (sixth), Malaysia (eighth), and Myanmar (seventeenth). These nations generate 1.4-3.54 million metric tonnes of plastic waste annually, surpassing China's overall plastic waste production. Cumulatively, these six countries contribute 1.32-1.53 million metric tonnes of plastic waste to the environment each year (Xanthos and Walker 2017).

Given this significant impact, the focus of the debate on marine plastics centers on Southeast Asia as a region with substantial global contributions to the problem (Sabatira 2020b).

Human activities on land and water, combined with a significant increase in plastic imports and inadequate waste management, are the primary drivers of plastic pollution in Southeast Asian nations. According to the International Trade Centre, plastic waste imports in the region reached approximately 2.2 million tonnes annually, accounting for 27 percent of global imports in 2017 (Häder

et al. 2020). The issue of marine plastic pollution is complex and has global implications, as marine pollution transcends borders. This problem affects the polluting countries and poses a common threat to neighboring and distant regions, making it a shared concern for the international community (Cin 2019).

The ASEAN Member States have committed to combating marine pollution through legislative efforts, such as ratifying UNCLOS 1982. They also actively participate in international collaborations, including the United Nations Environment Programme (UNEP) and Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) (Sabatira 2020a). Moreover, ASEAN has supported this cause since the East Asia Summit Conference on Combating Marine Plastic Debris in 2017, leading to significant milestones like the Bangkok Declaration on Combating Marine Debris in 2019 and the ASEAN Framework of Action on Marine Debris in 2019. Recently, ASEAN established the ASEAN Regional Action Plan for Combating Marine Debris in the ASEAN Member States 2021-2025 (ASEAN 2021). ASEAN has also set up the ASEAN Working Group on Coastal and Marine Environment (AWGCME) to ensure effective implementation as part of its dedicated approach.

While the ASEAN Member States have strategically established a sequence of commitments, the non-binding nature of the instruments leaves room for states to choose not to implement them effectively and immediately. The problem lies not in ASEAN's lack of vision, ideas, or action plans but in ensuring compliance and effective implementation of these instruments (Beckman et al. 2016). The notion of ASEAN centrality, stacked against ASEAN's characteristic informality, has drawn several criticisms from scholars and analysts from the realist and institutionalist schools of international relations that regard centrality as a mirage. Since its establishment as a regional organization, ASEAN's lack of formal institutions, particularly legally binding agreements and mechanisms that ensure compliance, is seen as hampering its ability to manage regional security, including environmental challenges (Caballero-Anthony 2022). A significant obstacle to compliance is rooted in the fundamental principle of the ASEAN Way, which does not permit legally binding instruments. The article will further discuss whether this principle poses a primary reason for non-compliance since it hinders the enforcement of commitments (Koh And Robinson 2002).

The ASEAN Way is characterized by consensual decision-making, non-confrontational dispute settlement, respect for sovereignty, and non-intervention principles. While this approach was advantageous in the organization's early years (1960s and 1970s), allowing Member States to handle domestic affairs independently, the current need for effectiveness demands a transition towards a rules-based regime and deeper regional integration. However, the lack of robust enforcement mechanisms stemming from this principle means that governments often rely on amicable dispute resolution rather than facing more forceful consequences for non-compliance or breaching agreements. This raises legitimate concerns about the potential ineffectiveness of implementing ASEAN instruments (Kheng-Lian, Robinson, and Lin-Heng 2016).

Given the gravity of marine plastic pollution, Member States must enhance their compliance efforts to combat this issue effectively. As the primary body, ASEAN is expected to establish a robust mechanism to facilitate the execution of this agenda (Andreas Pramudianto 2018). However, the presence of the ASEAN Way may pose challenges to achieving compliance targets, necessitating exploring solutions to bridge these gaps. This article will discuss two main topics: (1) ASEAN Way and compliance, and (2) regional mechanism in reinforcing Member States' compliance to combat marine

plastic pollution. This study employs a normative method with a descriptive analysis approach. Primary and secondary data sources are utilized alongside literature study approaches, examining pertinent regulations, books, and scientific journals about the addressed issues (Purwati 2020).

## DISCUSSION

### ASEAN Way and Compliance: Seeking its Relevancy

#### *Pros and Cons of the ASEAN Way*

The 2007 ASEAN Charter, signed during the 13th ASEAN Summit in Singapore on 20th November 2007, serves several key purposes (Sukmana 2019). Firstly, it aims to foster cooperation among member countries by establishing binding agreements. Doing so strengthens ASEAN's collaboration with its partner nations. Secondly, the charter outlines plans and strategies for developing the ASEAN Economic Community, ASEAN Security Community, and ASEAN Socio-Cultural Community, thus enabling more effective measures for their advancement. Thirdly, the charter provides a roadmap for future progress in various areas such as trade, economy, politics, social affairs, culture, security, democratization, human rights protection, and environmental preservation through integration efforts (Indeo 2019).

Apart from these objectives, the 2007 ASEAN Charter also plays a role in resolving disputes between member countries. While prioritizing peaceful and diplomatic means, the charter serves as a legal framework for dispute resolution. Friendly negotiations are typically favored as the primary approach for resolving conflicts following the mechanisms established in the charter. As part of this research, the opportunities and benefits of dispute resolution within the provisions of the 2007 ASEAN Charter will be examined, considering the defined form and nature of settlement mechanisms (Shimizu 2008).

#### The Strength of ASEAN Way

The ASEAN charter incorporates a mechanism called friendly negotiation, which serves as a means of communication between ASEAN parties. To achieve the goals of ASEAN, member countries adhere to the fundamental principles outlined in existing ASEAN instruments. These principles encapsulate:

- a) Respect for the independence, sovereignty, equality, territorial integrity, and national identity of all ASEAN member countries.
- b) A shared commitment and collective responsibility in promoting the region's peace, security, and prosperity.
- c) Rejection of aggression, threats, or the use of force, and any actions contrary to international laws that may disrupt peace.
- d) Advocating for peaceful settlement of disputes.

Consequently, in the case of any dispute or conflict between the ASEAN Member States, priority is given to resolving it peacefully (Wiwoho and Kaukab 2020). The primary advantage of

friendly negotiation is its distinctiveness and prioritization within ASEAN whenever disputes arise between member countries (Irewati 2014). The strength of friendly negotiation lies in its uniqueness and priority, which ASEAN always emphasizes when there are country disputes. Furthermore, ASEAN's approach to dispute resolution is tailored to suit the needs of regional relations. This approach, often referred to as the ASEAN Way, as described by Acharya, is characterized by the following elements (Darmawan and Kuncoro 2019):

- a) Adherence to non-intervention, non-violence, and peaceful conflict resolution methods.
- b) Promotion of regional autonomy and collective decision-making.
- c) Rejection of multilateral military agreements or pacts.
- d) Preference for informal consultation and consensus based on socio-cultural norms rather than relying solely on legal-rational norms for decision-making.

ASEAN prioritizes safeguarding its Member States' sovereignty when addressing regional issues. These characteristics, collectively known as the ASEAN Way, dictate that problems in ASEAN are addressed through decision-making based on consensus and the principle of non-intervention in the internal affairs of member countries (Howe and Park 2017). Respect for the recognition of independence, sovereignty, equality, territorial integrity, national identity, and peaceful dispute resolution between ASEAN member countries are key components of this approach.

### **The "Slim" Chances of ASEAN Way**

Regarding the regional mechanism prospects within the ASEAN Charter framework concerning the establishment of the ASEAN community, ASEAN has opportunities to guide conflicting member countries to focus on the political agreements made collectively by all ten ASEAN member nations (Mangku 2011). These agreements form a solid foundation for advancing regional cooperation, enhancing economic and social stability, and upholding peace and security in Southeast Asia. The objective is to resolve every dispute peacefully, adhering to the principles stated in the 1976 Treaty of Amity and Cooperation in Southeast Asia (TAC) and the ASEAN Charter (Wilson 2015). By following these mechanisms, ASEAN endeavors to effectively address issues and maintain harmonious relations among its member countries, fostering the growth and prosperity of the ASEAN community. However, the existence of the ASEAN Way lacks absolute authority and suffers from unsystematic problem-solving, leading to a considerably low chance of resolving any issues effectively. Furthermore, in the legislation process, incorporating the ASEAN Way will prioritize making all provisions amicable, signifying the avoidance of sanction-based or obligatory agreements (Tekunan 2014).

### **Compliance and the International Law**

Compliance focuses on the conceptual basis of each mechanism and how they differ. It is advocated that a more thorough distinction between these approaches is crucial, including understanding the behavioral logic behind state actions and the influence tactics employed to induce behavioral changes (Yusliwidaka, Roisah, and Setiyono 2022). This differentiation proves valuable in clarifying the reasons and methods by which states ratify international treaties and modify their



domestic practices, as it has significant implications for understanding the rates and patterns of international law ratification. Compliance characteristics are divided into coercion, persuasion, and acculturation (Avdeyeva 2006).

1. Coercion is the initial approach of social influence, where nations and international organizations pressure other states to change their behavior by imposing penalties for non-compliance and offering rewards for conformity. The logic behind coercion is based on altering the cost-benefit calculations of states rather than their normative attitudes. Hence, states are likely to adhere to international treaties if they perceive it to be in their material interest. Coercion elucidates how nations are compelled to follow international agreements, but it does not account for why nations ratify agreements they have no intention or capability to uphold (Vorderbruggen 2018).
2. The vast literature on persuasion in international relations has various explanations for how it operates. Some scholars propose that international law acts as a conduit for introducing new norms, leading to changes in state norms and behaviors. When a state signs and ratifies an international convention, it adopts new guidelines for its internal policies. This perspective suggests that the learning process, in which states actively embrace new normative guidelines, is how international law influences state behavior (Avdeyeva 2006). Instead of using incentives to coerce actors into changing their conduct, persuasion involves active discussions and deliberations of ideas to convince players of the appropriateness and validity of new norms, leading to behavioral changes.
3. Acculturation is a growing interdisciplinary field that introduces another mechanism of social influence. It refers to how individuals respond to the social and cultural influences of their surrounding environment, leading to the assimilation of other actors within a group. Governments often feel pressure to conform by imitating the actions and formally adopting other governments' ideologies, norms, and perspectives. A common strategy to demonstrate alignment with other states is by officially adopting their practices and beliefs, thus showing that a state shares its norms and behaviors and is not acting in a deviant manner. The fundamental idea behind acculturation is that states, as social actors, are compelled to associate and align with other states (Avdeyeva 2006).

Overall, these three mechanisms can influence compliance in tandem or independently. Coercion may compel compliance when persuasion or acculturation fails, while persuasion and acculturation can foster voluntary compliance and alignment with shared norms and values.

The interplay of these mechanisms can shape the level of compliance and cooperation between states within the international system.

## Complying through the ASEAN Way

### *Coercion in ASEAN Way's Compliance to Marine Plastic Pollution*

The ASEAN Way avoids coercion and emphasizes the importance of dialogue, consultation, and peaceful conflict resolution. It aims to promote trust and cooperation among Member States rather than resorting to coercive measures that may strain relationships and lead to conflict.



While the ASEAN Way does not entirely rule out differences or disputes among Member States, it encourages using diplomatic channels and friendly negotiations to address issues. This approach has played a significant role in maintaining stability and peace in the Southeast Asian region over the years. However, the terms of coercion in managing marine plastic pollution differ from their traditional definition. In the context of compliance through coercion, a state is compelled to join an international agreement merely out of obligation. This characteristic of compliance with the ASEAN Way involves acknowledging the numerous marine plastic instruments such as the Bangkok Declaration 2019, ASEAN Framework on Marine Debris 2019, and ASEAN Regional Plan 2021-2025 (these three instruments are further referred to as ASEAN Instruments). To have it simple, coercion means that states comply because they can and have no reason not to comply. Moreover, the non-binding nature of these agreements reflects the ASEAN Way by only setting the standard and regional objectives without posing sanctions, allowing Member States to comply based on their capacities. Hence, the ASEAN Way in this characteristic is merely an acknowledgment.

### **Persuasion in ASEAN Way's Compliance to Marine Plastic Pollution**

Regarding persuasion, the ASEAN Instruments is a collective agreement that serves the common good and offers mutual benefits to participating states. As a regional organization, ASEAN views marine plastic pollution as a shared challenge. Subscribing to the regional legal framework enables Member States to access support and resources from other nations, emphasizing the significance of cooperation in addressing common issues. Persuasion in compliance comes hand in hand with reputational consequences for non-compliance. For example, Indonesia's reputation concerning marine plastic pollution is severely lacking. To put it mildly, Indonesia is the world's second-largest plastic polluter, ranking just behind China, and has the fourth-largest population. These undeniable facts have negatively impacted Indonesia's standing in the international community, prompting the country to take compliance actions. Thus, Indonesia, as a member state of ASEAN, is persuaded to strengthen its compliance with managing marine plastic pollution. In this sense, the ASEAN Way will be a potential tool for Indonesia to strengthen its compliance by promoting the non-coercive path, for instance, enhancing the friendly negotiation approaches between Member States to tackle marine plastic pollution between ASEAN Member States.

### **Acculturation in ASEAN Way to Marine Plastic Pollution**

In domestic compliance, international law must align or be relevant to the domestic legal system. Acculturation involves imitating other states' behaviors based on their values and norms. For ASEAN to effectively comply with managing marine plastic pollution, it must identify common ground between different cultures. To achieve this, a technique known as "vernacularizing" is employed. Vernacularizing refers to adapting concepts and behaviors from universal international organizations into terms and actions that suit the ideals and practices of local contexts (Seekings 2021). Vernacularizing is divided into three mechanisms. Firstly, translation involves ensuring that society can easily understand and apply the ASEAN Charter through translation efforts. Secondly, "vernacular" entails making the ASEAN Way a primary technique when assigning responsibilities to each member state. Lastly, framing requires Member States to consider the community's limitations, resistance, and

specific target groups while establishing regulations, such as creating specific rules for traditional communities. In acculturation, compliance with the ASEAN Way in managing marine plastic pollution is by enhancing consensus based on socio-cultural norms (Kachika 2020).

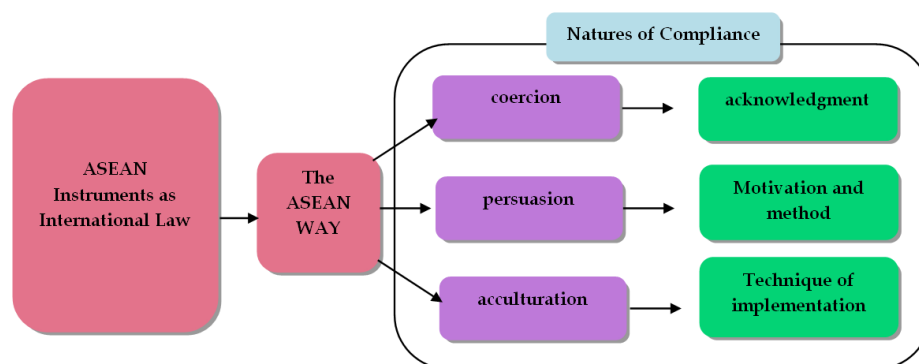


Figure 1: Complying Through the ASEAN Way (Source: Adaptation from research by Simmons 1998; Avdeyeva 2006; and Van Aaken and Simsek 2021)

Figure 1 shows how the ASEAN Way as a principle works in executing Member States' compliance towards marine plastic management. The ASEAN Instruments generally coerce the ASEAN Way as a primary principle in discussions relating to the Member States. Therefore, the output of coercion in complying through the ASEAN Way is acknowledgment or recognition. It is different in persuasion, where the coercion is manipulated due to poor reputation. The consequence a member state holds due to its marine plastic pollution record costs it its integrity in the community's spotlight. The ASEAN Way of persuasion compliance is a method and motivation to coach the action's urgency. Finally, acculturation is where compliance is seen as fulfilled or unfulfilled. Acculturation is crucial in making the ASEAN Way a technique to implement ASEAN instruments regarding marine plastic pollution among Member States.

## Regional Mechanism in Reinforcing Member States' Compliance to Combat Marine Plastic Pollution

### *The ASEAN Way: National Interest and Compliance Paradox*

The international community has instituted many instruments to combat marine plastic pollution as a testament to their dedication to addressing this pressing issue. However, it is noteworthy that the principal instruments operating at both global and regional levels are grounded in political commitment but are classified as soft law, denoting their non-legally binding nature and absence of obligatory compliance (Ferraro and Failler 2020). Although these instruments strongly encourage their member nations to take action, implementing policies and laws at the international level remains the responsibility of individual countries. Among the soft law instruments are the Bangkok Declaration on Combating Marine Debris in 2019 and the ASEAN Framework of Action on Marine Debris 2019, which paved the way for the establishment of the ASEAN Regional Action Plan for Combating Marine Debris in the ASEAN Member States for the period 2021-2025(ASEAN 2021).

Despite many ASEAN Member States (AMS) having their own national goals to reduce plastic waste, no regional binding instrument is currently in place (Sabatira 2020b).

In tackling regional issues, ASEAN employs a combination of formal methods of conflict management and diplomacy, along with informal approaches, to achieve remarkable regional order, considering the diversity of its members and the multitude of problems the region faces (Kunnamas 2020). Scholars argue that while regional environmental governance can effectively address collective action problems, it falls short when dealing with severe environmental challenges like marine plastic pollution. This is because the model of ASEAN cooperation, known as the ASEAN Way, is deeply ingrained in the process of regional governance, and Member States find it challenging to envision ASEAN functioning differently. According to Severino (2006), the ASEAN Way is considered a “doctrine” - an ideological framework that must be strictly adhered to (Muhamad Varkkey 2020). Consequently, while ASEAN states may desire to resolve the plastic pollution problem, they struggle to balance this desire with their stronger inclination to adhere to broader ASEAN Way norms, emphasizing non-interference and decision-making through consensus (Caballero-Anthony 2022).

Furthermore, the strict adherence to the ASEAN Way, a set of principles guiding the organization’s approach, presents challenges in addressing environmental issues like marine plastic pollution. The non-interference principle hampers collective problem-solving methods, prohibiting external pressure on Member States to act following collective interests (Darmawan and Kuncoro 2019). This dilemma poses difficulties for ASEAN Member States in balancing respect for their neighbors’ right to self-determination and collaboratively tackling the plastic pollution issue that affects the entire region.

However, some scholars argue that these criticisms are flawed, as states do not blindly adhere to the ASEAN Way out of habit. Instead, they follow these principles when they align with their interests. For instance, establishing The ASEAN Agreement on Transboundary Haze Pollution in 2002 was considered a legally binding instrument because haze pollution had significant political and economic impacts on the ASEAN Member States, prompting them to take decisive action. This illustrates the essence of the ASEAN model of regionalism, where Member States drive the decision-making process. This model allows them to shape regionalism in ASEAN according to their national interests, enabling flexibility in adhering to ASEAN Way norms (Varkkey 2020).

Thus, decision-making in ASEAN is heavily influenced by the interests of its Member States, and the ASEAN Way can be seen as a tool for political action that states can selectively utilize based on their interests (Tekunan 2014). As a result, AMS prefers hard law for economic cooperation but seeks greater flexibility when dealing with non-economic matters like environmental issues. Consequently, marine plastic pollution, not being immediately tied to economic consequences, has not been prioritized as an “emerging” issue. This leads to ASEAN environmental initiatives relying on voluntary cooperation, non-binding agreements, and weak institutional infrastructure, emphasizing aspirational policy statements and rhetoric over actual implementation (Wibisono 2017).

Embracing the ASEAN Way allows national governments to avoid committing to joint tasks that they may find administratively demanding, politically challenging (especially if they conflict with dominant national interests), or not a top priority amid their national agendas. Party adhering to non-interference norms emphasizes the supremacy of national laws, policymaking, and implementation.

However, this approach can become paradoxical when considering alternative perspectives, as the ASEAN Way can be seen as a safeguard rather than a challenge. In terms of compliance, powerful states might be reluctant to adhere to the instruments, while weaker states may lack the capacity to comply, placing the burden of compliance on mid-range states. Therefore, it could be more practical to start with a non-binding agreement initially and eventually rely on third-party supervision to ensure states' adherence to the agreement (Beckman et al. 2016).

In this context, it is essential to acknowledge that, in one way, the ASEAN Way significantly influences compliance with ASEAN instruments, but achieving better compliance goes beyond mere enforcement. Laws are not followed solely due to sanctions, but states will also be reluctant to comply with any law that requires them to bear significant costs for the common good without effective enforcement. States with less interest in a matter are unlikely to incur costs voluntarily to benefit other members (Beckman et al. 2016). Further, compliance is a multifaceted process involving effectiveness, implementation, organizational and resource structures, lawmaking, and enforcement. Therefore, it is clear that successful enforcement of legally binding instruments does not necessarily guarantee compliance (hard law  $\neq$  compliance).

It is fair to say that the ASEAN Way might not directly contribute to non-compliant behavior, as its influence is primarily on an instrument's lawmaking and enforcement processes (Beckman et al. 2016). However, its existence does increase the complexity of achieving compliance. Recognizing that effective implementation does not always equate to compliance, addressing implementation issues will significantly impact the current situation. Legally binding instruments will bridge the gap through coercion and persuasion, compelling Member States to conform. The presence of legally binding instruments also serves as a motivator for compliance. Consequently, setting aside the ASEAN Way and encouraging AMS to establish coercive-based instruments will likely enhance, if not accelerate, compliance levels.

### **Addressing Compliance Challenges: Optimizing ASEAN's Role in Regional Cooperation**

The achievement of compliance relies on the integration of well-established instruments, organizational capacity, and effective enforcement. In the future, if the ASEAN Member States (AMS) come to recognize the significance of the marine plastic issue to the extent that they are willing to deviate from the traditional ASEAN Way and establish a legally binding instrument, they should then take additional steps to support and implement this agenda. In this regard, establishing a supervisory body becomes essential to ensure success. To illustrate, the European model of regionalism emphasizes the pooling of sovereignty, while the ASEAN model prioritizes the maintenance of national sovereignty (Wibisono 2017). This distinction in their approach to sovereignty elucidates why environmental regionalism in Europe has been prosperous, whereas it has encountered challenges in Southeast Asia. The European Union's success can be attributed to its supranational institutions acting as primary drivers, whereas the ASEAN organization relies on the collective efforts of its Member States. Consequently, to enhance the ASEAN Member States (AMS) compliance status, the most suitable entity to take on this responsibility is the Secretariat itself. By serving as a supplementary entity, the Secretariat can play a crucial role in ensuring compliance through collective monitoring (Tiquio, Marmier, and Francour 2017).

Regional cooperation mechanisms should be harmonized with suitable compliance monitoring, advising, and enforcement strategies to address marine plastic pollution effectively. Compliance monitoring aims to incentivize states to adhere to their commitments. In this context, the book “Promoting Compliance” authored by Beckman et al. (2016) puts forth various strategic approaches for implementing a compliance monitoring mechanism that can be applied to manage marine plastic pollution effectively:

1. Enhancing the role of the ASEAN Secretariat in compliance monitoring.

In the effort of compliance monitoring, the ASEAN Secretary-General is entrusted with the responsibility of aiding and overseeing the advancement of the implementation of ASEAN frameworks. Nevertheless, no prescribed protocol exists for the Secretary-General, the ASEAN Secretariat, or ASEAN Member States to adhere to regarding the compliance monitoring mechanism. Consequently, once ASEAN determines the need for technical guidelines, the monitoring function can be executed effectively.

2. Adopting the rules of procedure in compliance monitoring.

ASEAN needs to adopt rules of procedures to clarify the roles of the ASEAN Secretary-General and other relevant bodies in effectively monitoring compliance. The foremost rule entails the establishment of a compliance checklist by the ASEAN Secretariat, containing indicators that member countries must provide to facilitate compliance monitoring. Subsequently, the ASEAN Member States must prepare reports detailing the implementation of the SEAN Framework to combat marine plastic pollution, utilizing the specified indicators, and submit these reports to the Secretariat. Upon receipt of these submissions, the Secretariat will consolidate the reports and prepare its comprehensive monitoring report. Lastly, the reports will undergo examination by the appropriate ASEAN body, which will provide constructive recommendations to bolster the implementation status of Member States.

1. Adopting the rules of procedure for cases of non-compliance.

The rules of procedure ought to incorporate provisions that address the situation wherein Member States do not fulfill their commitments. These clauses should encompass mechanisms for offering legal and technical assistance to non-compliant Member States.

2. Incorporating the rules of procedure for the compliance monitoring of pre-Charter instruments.

Throughout the legislation process, ASEAN Member States could contemplate the adoption of a streamlined binding mechanism that confers authority to the Secretary-General to oversee adherence to pre-Charter instruments. Such a measure would facilitate the organization’s streamlining, coordination, and centralization of compliance monitoring.

According to the authors, substantial progress in addressing marine plastic issues is achievable by effectively overcoming compliance challenges by establishing a strategic regional cooperative mechanism involving ASEAN as a unified entity and its Member States as implementers,

## CONCLUSION

Embracing the principles of the ASEAN Way allows national governments to avoid committing to joint tasks that might pose administrative challenges, clash with dominant national interests, or not align with their immediate priorities. However, this approach becomes paradoxical when considering broader perspectives. While it may seem beneficial for individual states, the region could suffer from the long-term impacts of marine plastic pollution.

Consequently, the existence of soft laws alone will not ensure compliance; states will also be hesitant to adhere to any law that entails high costs for the common good without effective enforcement. Recognizing that achieving overall compliance solely through legally binding instruments may not be feasible, AMS must acknowledge the need to depart from the ASEAN Way and encourage the establishment of coercive-based instruments to enhance, if not accelerate, compliance levels potentially.

Moreover, to fully realize the potential of compliance, AMS must commit to integrating well-established instruments, enhancing organizational capacity, and ensuring effective enforcement. The article proposes supplementary regionalism through compliance monitoring as an essential step toward effectively managing marine plastic pollution.

This endeavor can be achieved through four key efforts: (1) enhancing the role of the ASEAN Secretariat; (2) adopting rules of procedures for future instruments; (3) implementing rules of procedures for addressing non-compliance cases, and (4) incorporating rules of procedure for monitoring compliance with pre-charter instruments. By taking these steps, AMS can work together to mitigate the harmful impacts of marine plastic pollution and foster a more sustainable future for the region.

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**Ria Wierma Putri:** Methodology, supervision, resources, validation.

**Febryani Sabatira:** Conceptualization, data curation, writing - original draft preparation, writing - reviewing and editing, visualization.

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# CREATIVE FREEDOM AND CENSORSHIP: A COMPARATIVE ANALYSIS OF REGULATORY FRAMEWORK FOR OTT CONTENTS IN THE UK, INDIA, AND CHINA

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**Abstract:** The emergence of over-the-top (OTT) services has lately revolutionized the way people consume media content. These services have emerged as a significant disruptor in the media industry in recent years. With the advent of OTT platforms, various concerns have arisen over the censorship and regulation of content on these platforms. Accordingly, this paper has examined the current trends in censorship and regulation of OTT content through the perusal of various legal and regulatory frameworks in the United Kingdom, India, and China. It has probed into cases of censorship and examined various aspects of civil and political liberties. The analysis has revealed a persuasive connection between the degree of freedom of expression and creative freedom dispensed in each region. Lastly, the paper has provided recommendations for policymakers and other stakeholders on balancing the need for freedom of expression and access to information with responsible content management and regulation.

**Keywords:** OTT Platforms; Censorship; Legal Framework; Regulatory Framework; Freedom of Expression

## INTRODUCTION

The advent of over-the-top (OTT) platforms has impressively revolutionized the entertainment industry in recent years. The term OTT refers to any service that provides audio-visual content through the Internet without requiring an orthodox cable or satellite TV subscription infrastructure. The list of renowned OTT platforms includes Disney+, Netflix, Hulu, Amazon Prime Video, MX Player, Sony Liv, and others. These platforms have attained immense popularity over the past decade, and their success can be attributed to several factors. These platforms have provided content creators with a never-before-seen canvas on which to craft complex narratives and explore subjects that might be deemed unconventional in mainstream media. That being the case, the foundation of artistic innovation is attained through creative freedom, which gives artists the ability to push boundaries, interrogate social norms, and tell stories that appeal to a wide range of viewers. Concurrently, this newfound freedom does come with its own set of challenges, as concerns about the ethical obligations and possible social repercussions of unrestricted creative expression are brought up by the global nature of the digital space.

Nonetheless, the threat of censorship persists, fueled by worries about political agendas, cultural sensitivities, and the media's possible ability to shape public opinion. Upholding the integrity of society while enabling free thought to flourish is a difficult endeavor that calls for an intimate understanding of the legal systems that control OTT content.

Accordingly, this paper examines the regulatory frameworks that oversee OTT content platforms in three distinct yet powerful nations: the United Kingdom, India, and China. It also probes the complex relationship between censorship and creative freedom in this context. The significance of this study lies in the stark divergence in the cultural, political, and historical contexts that shape the regulatory approaches of these nations. The United Kingdom, with its rich tradition of free speech and artistic expression, stands in contrast to India, a nation with a multifaceted cultural fabric and a legacy of stringent content regulation. Meanwhile, China, a global powerhouse with a unique political structure, has implemented a distinct set of regulations that strictly control the narrative presented through OTT platforms. The tensions between the perceived societal demand for content regulation and creative freedom have become more evident. Subsequently, this paper aims to discover the subtleties of how these nations administer the delicate equilibrium between protecting cultural and societal values and promoting creative innovation through a comparative analysis. The paper also aims to investigate the consequence of these policies on the content created and viewed on over-the-top (OTT) platforms, as well as the wider ramifications for the global conversation about creative expression, by closely examining the respective regulatory frameworks.

### **Proliferation of the Internet and Accessibility to OTT**

The key driver of the OTT revolution is the growth and accessibility of high-speed internet connectivity and the availability of smart devices. This proliferation of broadband internet has enabled the masses to stream high-quality video content seamlessly without structural interruptions. In reference to this, the Online Nation Report of 2020 revealed the staggering average time spent online per day by adult internet and the total applications downloaded by users in the UK and India (Table 1) (Hutchins and Rowe 2012). At the same time, the China Internet Network Information Centre observed the study for Chinese Users. Accordingly, it is effortless for OTT providers to reach global audiences, irrespective of their server's location (Griffiths 2021).

Additionally, the emergence of OTT platforms results from the shift in end-user or consumer behavior. Traditional TV broadcasting follows a fixed schedule and programming line-up, technically limiting viewers to a specific set of shows or movies at any given time.

On the other hand, OTT platforms have begun to offer a vast library of on-demand content that viewers can access as per their preferences and convenience (Gosztonyi 2021).

This flexibility has made OTT platforms increasingly tempting to end-users, specifically the younger generation, who prefer to consume content on their terms. Consequentially, the advent of OTT platforms has disrupted the traditional distribution model of the entertainment industry. Formerly, the production studios used to sell their content to broadcasters, such as cable providers, who would then eventually distribute it to viewers. Complex negotiations, exclusivity deals, and high costs often characterized this model (Park 2019, 177-192).

Nonetheless, OTT platforms have cut out the intermediaries and established direct relationships with content creators. This has lately allowed it to offer more diverse and niche content to its viewers and create original programs customized and tailored to its specific audiences. Furthermore, with the assistance of advanced algorithms and machine learning IoT, OTT providers usually track the preferences and behavior of their users and use this information to offer personalized recommendations and content suggestions. This formidable use of technology has

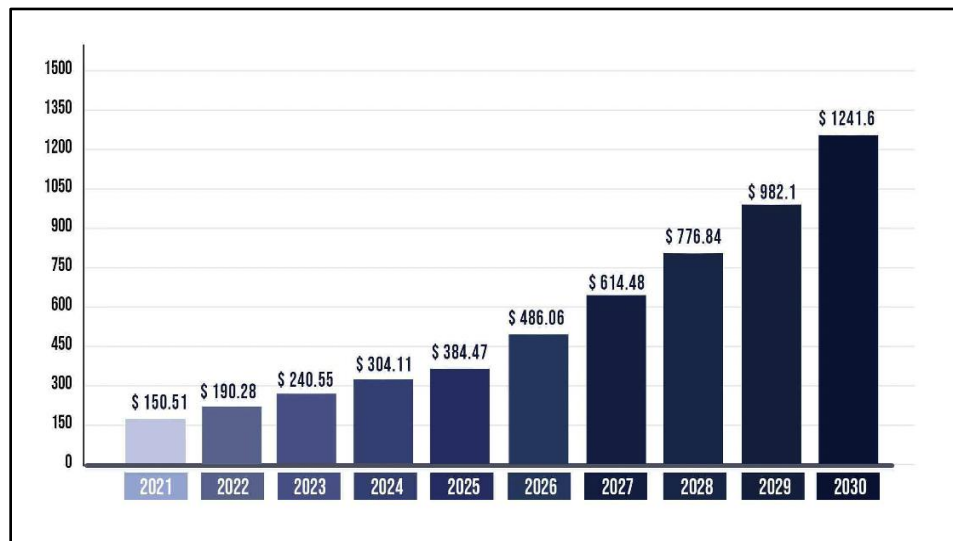
made it easier for viewers to discover new series, documentaries, and movies that align with their interests and has thereby led to augmenting the engagement and loyalty of users.

**Table 1: Average Time Spent Online and Total Application Downloads by Users in the UK, India, and China**  
(Source: Online Nation Report of 2020 and China Internet Network Information Center 2020)

Users	Time Spent Online (in Hours)	Applications Download (in Billion)	Source
United Kingdom	03:37	2.41	Online Nation Report of 2020
India	01:54	24.27	Online Nation Report of 2020
China	7.20	134	China Internet Network Information Center 2020

According to the estimates released by Precedence research (Figure 1), the present decade will witness tremendous growth in the number of citizens subscribing to OTT platforms as the market size of OTT platforms is expected to grow by approximately 725% by the end of the year 2030. This leads to an average increase of 72.5% every year, with a CAGR of 26.42%. One factor influencing the OTT industry is the increased demand for subscription-based services. During the anticipated years, the OTT market growth will likely be fueled by the increasing adoption of subscription-based services in emerging regions. During the projected years, it is predicted that increasing internet use, smart TV, smartphones, 5G infrastructure, original media content, and others would present profitable potential for market expansion.

Besides, the growing use of internet-based applications is anticipated to fuel market expansion. Meanwhile, throughout the anticipated period, the market expansion is predicted to be aided by rising demand for online streaming content, such as live news, movies, sports, and other entertainment (Ulin 2013). For instance, Firstlight Media and the top service provider Struum worked together to launch a cloud-native streaming platform in January 2021. This partnership aimed to provide content across several platforms via a single Struum membership.



**Figure 1: OTT Market Size from 2021 to 2030 (in USD Billion)** (Source: Precedence Research 2023)

The rise in popularity and usage of these platforms has led to an undebatable surge in content creation in order to deliver an unparalleled variety of content to the audience. However, this freedom related to content creation has also raised concerns about the applicability of censorship in the OTT industry. While OTT platforms are not subject to the same regulatory frameworks as traditional media, they have come under scrutiny from governments, societal groups, and viewers over their content choices.

The primary concern around censorship in OTT platforms is the potential for objectionable content, such as sexually explicit or violent material, to be made available to viewers, including children and minors (Kaur 2022). Unlike traditional media, which is subject to ratings and guidelines enforced by regulatory bodies, OTT platforms have largely been self-regulated. Most of these OTT platforms have their content guidelines, which vary considerably. Accordingly, there is no uniform standard that all platforms should adhere to. This has led to calls for greater regulation and oversight of OTT content. As a result, sovereign governments worldwide have lately attempted to exert control over OTT platforms by imposing regulations or censoring content that they deem politically sensitive or objectionable. For instance, the Chinese government has imposed strict regulations on alien OTT providers to prevent the distribution of content that they perceive to be harmful to their national interests and security. Similarly, the Indian government recently introduced regulations requiring OTT platforms to comply with a code of conduct and self-regulatory mechanisms. Considering the scenario, the subsequent section will discuss contemporary trends in censoring and regulating OTT platforms in the UK, India, and China while analyzing the various legal and regulatory frameworks that govern its content and the nexus between freedom of expression and creative freedom in each nation.

## ILLICIT CONTENTS

There have been various instances wherein OTT platforms have featured violent or graphical content depicting murder, assault, genocide, and self-harm. Such content proved to be distressing for some viewers, particularly children. In addition, some of the published content was considered offensive and harmful to the class of people, such as racial or ethnic minorities, LGBTQ+ individuals, or religious groups. This content has been particularly damaging and hurtful to targeted people (Kumar et al. 2021, 299-318). Likewise, some of the content on OTT has been alleged to spread false or misleading information, such as conspiracy theories or fake news. This has caused severe consequences, particularly in the context of public health information and political campaigns. At the same time, some platforms have received sturdy objections to publishing content like pornography, sexual violence, exploitation of minors, cyberbullying, and others (Henry, Flynn, and Powell 2020, 1828).

In 2018, a British national was imprisoned for 32 years for using an OTT platform to commit multiple offenses, i.e., the production, distribution, and possession of child sexual abuse material. This man had utilized the platform to communicate with other individuals and was found guilty of sharing images and videos related to child abuse. Similarly, in the year 2019, an investigation initiated by the BBC revealed that various popular OTT platforms were being used to harass and bully young people (Lee and Darcy 2021, 563). It was found that users used the platforms to post abusive and threatening messages, share private information, and encourage others to join in the harassment.



After that, an inquest in the UK discovered that a young woman had committed suicide after being exposed to content containing self-harm on a renowned OTT platform. Later, her cyber footprints further revealed that she had been exposed to significant harmful content. In 2020, Ofcom released the result of a fieldwork survey that determined the attitude of adults and teenagers towards online and on-demand content. In this report (Figure 2), it can be observed that foul language is considered a concern among adults and teenagers, followed by bullying and victimization of others. In addition, over 18 more concerns were pointed out by the respondents.

Consequently, almost 44% and 38 % of adult and teenage respondents have stopped consuming OTT content, and only 9% have filed a complaint to the appropriate authorities. In 2021, a report released by the Centre for Countering Digital Hate (CDH) conveyed that few OTT platforms host highly racist content, such as white supremacist propaganda, Holocaust denial, and anti-Semitic material. This report has established that these platforms have deliberately failed to take adequate measures to remove this inappropriate content in spite of receiving repeated warnings from social campaigners and other stakeholders (Sanfilippo and Strandburg 2021, 960).

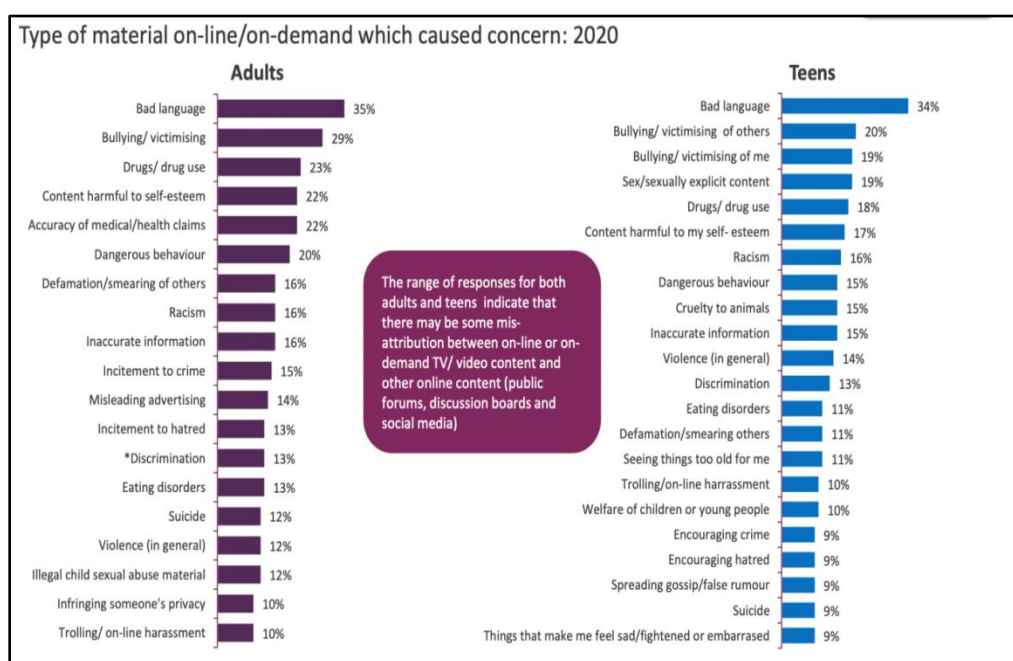


Figure 2: Concerns of Online/On-Demand Content among Adults and Teenagers in the UK  
(Source: Ofcom Research 2022)

The content published on OTT platforms in India has also come under the scanner and received backlash from various stakeholders. For instance, a web series titled “Tandav” was released on a renowned OTT platform in 2020. This series depicted fictional political scenarios criticized by a few groups for allegedly hurting religious sentiments. Subsequently, the makers of the series were charged with several offenses, including promoting enmity between different groups and insulting religious beliefs (Devasundaram 2022). Similarly, a much-admired series, “Mirzapur,” was often criticized for its fictional depiction of a town in India that is a hub of violence and lawlessness. A serial titled “Gandi Baat” was also condemned for depicting infidelity and promoting voyeurism.

In the year 2021, an OTT platform received a strong retaliation for releasing the film, which was accused of promoting violence and harming children's mental health.

In this reference, the Chinese government has been proactively monitoring the publication of illicit content on the OTTs. In 2020, the concerned government cracked down on several OTT platforms promoting online gambling. As a matter of fact, online gambling is illegal in China. Hence, the promotion and facilitation of online gambling on OTTs led to the imposition of criminal punishments on several officials, including the content creators. Likewise, an investigation initiated by the Chinese government in 2018 established that several popular OTT platforms were hosting violent or inappropriate content, such as pornography and violent video games (Steckman 2020).

Consequently, they were ordered to remove this content and revamp the moderation process. Additionally, as a part of their political ideology, the Chinese government closely monitors online content for any political dissent or criticism of the government. Accordingly, Chinese OTT platforms are often required to censor content that is critical of the government or dissenting from government policies.

### CENSORSHIP FRAMEWORK OF OTT CONTENTS

The censorship of OTT content has been a contentious issue in recent years, with numerous nations adopting different approaches to regulate the content published on these platforms. For instance, the UK government has recently proposed new legislation that would give the Office of Communications, i.e., Ofcom, the authority to regulate the content available on OTT platforms. The proposed legislation, known as the Online Safety Bill, would require OTT platforms to comply with Ofcom's broadcasting code of conduct, which includes rules related to offensive content, harmful material, and the protection of children and minors. According to various provisions of the proposed legislation, these OTT platforms would be compelled to adhere to a "duty of care", which would require them to take reasonable steps to protect their users from consuming illegal and harmful content (Woods 2021, 77-98).

This would include content related to terrorism, child sexual exploitation and abuse, and cyberbullying. Concerning the gravity, the Online Safety Bill also empowers Ofcom to issue pecuniary fines of up to £18 million or 10% of a company's global turnover, whichever is higher, for companies that fail to comply with their duty of care obligations. Furthermore, Ofcom would also be empowered to block access to websites that do not comply with the new regulations. Some provisions of the legislation would also mandate OTT platforms to appoint a designated person responsible for ensuring compliance with the new regulations and disclose the annual reports detailing their efforts to protect their users from harmful content (Watney 2022, 194-201).

This bill has been widely appreciated and embraced by the sect of society, including child protection campaigners who are concerned about online safety. In comparison, a few critics have also opined their concerns about the potential impact of this bill on the right to free speech and artistic expression. Responding to these acquisitions of the critics, the concerned government officials have stated that the proposed legislation is not technically intended to stifle free speech; instead, it will ensure that end-users are protected from consuming harmful content (Wu 2019, 15-61).

In India, the content curated on OTT platforms does not require any pre-screening or certification before distribution, in contrast to conventional push media like cinema, where films must

have been pre-certified by the Central Board of Film Certification and the Cable Television Networks (Regulation) Act of 1995 which applies to satellite television in India, does not require any previous authorization for OTT platforms to broadcast content or to follow its regulations. Hence, the content available on OTT platforms is majorly regulated by the Ministry of Information and Broadcasting (MIB) under the provisions of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. These rules establish a code of ethics and a complaint redressal mechanism for digital media platforms, including OTT platforms. Under these rules, all the OTT platforms are required to self-classify their content into various categories such as U (Universal), U/A 7+ (universal/adults above seven years), U/A 13+ (universal/adults above 13 years), U/A 16+ (universal/adults above 16 years), and A (adult). They are also expected to implement parental locks for content classified as U/A 13+ or higher. According to the provisions, If a person has a complaint against the specific content on a particular OTT platform, they can file a complaint through the platform's grievance redressal mechanism. The platforms must appoint a grievance officer to address the complaints within a specified time frame. Suppose the complainant is not satisfied with the response or resolution provided by the platform. In that case, they can escalate the complaint to the self-regulatory body called the Digital Media Content Regulatory Council (DMCRC), an industry-led body established to oversee adherence to the self-regulatory mechanism. It has the authority to impose penalties and warnings and even suspend or revoke the registration of a platform in case of non-compliance with the rules (Bhardwaj and Rana 2021).

Likewise, In China, the regulation of OTT content is carried out by various sovereign bodies such as the National Radio and Television Administration (NRTA) and the Cyberspace Administration of China (CAC). In reference to regulation, the Chinese government exercises direct and strict control over media content to ensure that it aligns with the government's policies, cultural values, and social stability. Accordingly, the government maintains a comprehensive content censorship system that monitors and controls what can be broadcast or streamed. Content deemed politically sensitive, sexually explicit, violent, or violating social norms is subject to censorship. Moreover, the OTT platforms are expected to obtain licenses from the NRTA to operate and distribute audio-visual content in Chinese territory legally (Wang and Lobato 2021, 356-371). These licenses specify the scope of operations and content categories and may impose specific restrictions. The licensing and registration of platforms are instituted through real-name registration systems to verify the identities of their users. This measure helps government authorities track and regulate online activities and hold individuals accountable for violations. In addition, the platforms are responsible for self-censorship and moderation of content as they must employ internal mechanisms to review and filter content before making it available to users. Besides, the NRTA and CAC are empowered to conduct regular inspections and audits of OTT platforms to ensure compliance with regulations. Any apparent violations can result in penalties, fines, content takedowns, or even suspension or revocation of licenses. Hence, various critics argue that the regulatory approach in China is highly centralized and focused on maintaining social stability and adhering to the principles of the Communist Party of China (Pieke 2012, 149-165).

## CREATIVE FREEDOM AND LEGISLATIVE FRAMEWORKS

The term “creative freedom” refers to the liberty and autonomy of individuals to express themselves through the means of artistic, literary, or creativity. It generally encompasses the right to explore, create, and share ideas, emotions, and perspectives through various forms of expression, such as writing, painting, music, film, and theatre. It further recognizes the importance of individual self-expression, cultural diversity, and the enrichment of society through artistic and creative works. Meanwhile, it is closely interlinked with freedom of speech and expression as mutually reinforcing concepts. Besides, they both involve the fundamental right of individuals to express themselves and contribute to the exchange of ideas and the development of a vibrant society.

Furthermore, they enable individuals to challenge established norms, question authority, and explore alternative viewpoints. The freedom to express diverse and dissenting opinions, artistically and verbally, has often encouraged the growth of an inclusive and pluralistic society (Pless and Maak 2004, 129-147). Freedom of speech and expression generally provides the legal and societal framework for exercising creative freedom; in turn, it also contributes to the vitality and scope of public discourse. The interplay between these concepts is vital for fostering a thriving and democratic society that values individual expression, diverse perspectives, and the transformative power of art and ideas.

The UK does not have a specific constitutional document like the United States First Amendment. However, freedom of speech and expression is protected and recognized through various laws, conventions, and judicial decisions. The primary legislation governing freedom of speech and expression in the UK is the Human Rights Act 1998, which incorporates the European Convention on Human Rights (ECHR) into UK law. Article 10 of the ECHR aims to protect the right to freedom of expression. However, this is not an absolute right as it can be subjected to certain limitations.

As a consequence of the legal framework, creative freedom in the UK is valued and protected by allowing individuals to express themselves through various artistic mediums and without undue interference or rigid censorship. Moreover, the nation has a rich cultural heritage that fosters a diverse and vibrant creative sector encompassing literature, visual arts, music, film, and theatre. It has also benefitted from various institutions that promote and support creative freedom, such as the Arts Council of England, Creative Scotland, Arts Council of Wales, and Arts Council of Northern Ireland. Other bodies, such as the British Film Institute, the National Theatre, and the British Library, also play an important role in nurturing creative expression and preserving cultural heritage. However, this freedom is often subject to certain limitations and responsibilities as the country has stringent laws to address sensitive issues such as hate speech, incitement to violence, and the promotion of terrorism, which can restrict the scope of creative expression when it infringes upon the rights and safety of other persons. In addition to this, the legal considerations related to defamation, privacy, and intellectual property rights also impact creative pursuits (Neelands et al. 2015).

Likewise, the freedom of speech and expression is a fundamental right that has been guaranteed to the citizens of India under Article 19(1)(a) of the Constitution. This right is considered an essential component of a democratic society and is crucial in promoting individual liberty, democratic governance, and the free exchange of ideas. Nonetheless, just like any other right, this fundamental right is also subjected to certain reasonable restrictions, which are mentioned in Article 19(2) of the Constitution.

These restrictions include the sovereignty and integrity of India, security of the state, friendly relations with foreign countries, public order, decency, morality, contempt of court, defamation, and incitement to an offense (Annappa 2021, 119-134). Over the years, India had a robust tradition of free speech and a vibrant media landscape. Herein, citizens can express their opinions, criticize the government, and debate various issues publicly (Kanojia et al. 2023). India also has a diverse and active media sector, such as print, broadcast, and digital media, which largely contributes to the pluralistic and democratic discourse in the country. However, there have been instances where the country's freedom of speech and expression has been challenged or restricted. For instance, specific laws like the sedition law encompassed under Section 124A of the Indian Penal Code and laws pertaining to defamation have been criticized for being misused to stifle dissent and curtail free speech.

Moreover, online censorship and surveillance have also raised concerns about freedom of expression on digital platforms. Meanwhile, the Cinematograph Act of 1952 and various certification boards, such as the Central Board of Film Certification (CBFC), are authorized to regulate the content and presentation of film. There have been various circumstances where filmmakers have faced difficulties in obtaining certification due to objections raised by the censor board regarding certain scenes, dialogues, genres, or themes (Bhowmik 2013, 297-310). These instances have raised concerns about the curtailment of creative freedom and the need for a more liberal and progressive approach.

On the other hand, the judiciary in India has played a decisive role in safeguarding creative freedom through the various judgments upholding the importance of artistic freedom and the right of artists to express themselves freely. In 2015, while deciding the matter between *Shreya Singhal v. Union of India*, the Court struck down Section 66A of the Information Technology Act, which had been used to curb online speech. This judgment emphasized the importance of protecting freedom of speech and expression in the digital age. Meanwhile, in the case of *Prakash Jha Productions v. Union of India*, the court emphasized that films are an essential medium for expression and should be allowed to portray reality, which may include sensitive and controversial subjects. The court also held that the role of the censor board is to certify films, not to censor or cut scenes based on subjective considerations (Suleman 2015, 170).

On the contrary, the ruling government has heavily restricted the Freedom of speech and expression in China for many years. The Chinese Communist Party (CCP) maintains a tight grip on the media, Internet, and public discourse to control information flow and suppress dissenting voices. The Chinese government exercises extensive censorship over all forms of media, such as newspapers, television, radio, and online portals. The state employs a vast apparatus of internet controls, referred to as the "Great Firewall of China," which blocks access to foreign websites and monitors domestic online activity. Numerous websites and social media platforms, such as Facebook, Twitter, YouTube, and Google, are blocked in China. In this regard, the government employs sophisticated surveillance systems to monitor and track its citizens' online activities (Griffiths 2021).

Meanwhile, internet service providers and technology companies must comply with government regulations. This surveillance apparatus identifies and punishes individuals who engage in online dissent or share information deemed sensitive by the government. Furthermore, there are explicit restrictions on the content that can be produced and consumed (Ruan et al. 2021, 133-157). Specific sensitive topics, like criticism of the government, human rights issues, Tibet, Taiwan, the Tiananmen Square protests, and religious or ethnic sensitivities, are susceptible and strictly censored.

At the same time, depictions of violence, explicit sexuality, or themes that challenge social stability or traditional values may also face censorship or restrictions. Accordingly, the artists or creators who produce works that violate government guidelines can face various consequences, such as censorship, fines, professional bans, imprisonment, or even disappearance. Due to the pervasive climate of censorship and fear of reprisals, individuals in China practice self-censorship to prevent gruesome punishment. Consequently, people often refrain from expressing accurate opinions on sensitive topics, both in public and online, to protect themselves and their families from potential consequences.

## FREEDOM INDEX AND DISCUSSION

The UK provides a relatively favorable environment for artistic and creative expression as it has a long-standing tradition of valuing and protecting freedom of expression. Similarly, while creative freedom exists in India, it is subject to certain limitations and occasional challenges as India's legal framework includes some restrictions on content that may be deemed offensive, defamatory, or harmful to public order. Nonetheless, due to its diverse cultural landscape with a rich tradition of artistic expression, the Indian constitution has guaranteed every citizen the right to freedom of speech and expression. In contrast, creative freedom in China is subject to significant constraints and the risk of punitive measures as the government exercises extensive censorship and control over all forms of artistic expression. Subsequently, artists and creators must adhere to strict government guidelines and self-censorship to avoid punishment. The UK generally offers a high level of artistic freedom with limited legal restrictions. India provides a comparatively favorable environment for creative expression, but there are instances of censorship and restrictions. Conversely, China has a highly controlled environment with extensive censorship and limitations on artistic freedom.

The World Press Freedom Index is an annual report published by Reporters Without Borders (RSF), an international non-governmental organization that promotes and defends freedom of information and the press. This index evaluates the state of press freedom in countries worldwide and provides rankings based on several criteria. According to this index, the United Kingdom generally ranks high regarding press freedom and freedom of expression. While India has a mixed record regarding censorship, China is known for its extensive censorship and control over media and artistic expression (Table 2). Similarly, the Freedom House conducts research and advocacy on democracy, political rights, and civil liberties worldwide. They produce an annual report called "Freedom in the World", which assesses the state of political rights and civil liberties in countries around the world.

According to its analysis, Freedom House has historically ranked the United Kingdom as a free country. It has consistently scored well in terms of political rights, civil liberties, and freedom of the press. Whereas, India has generally been assessed as a "partly free" country as it has faced challenges related to freedom of expression, attacks on journalists, and occasional instances of government interference in media and civil society.

Lastly, China has consistently been ranked as "not free". The Chinese government exercises strict control over political rights, civil liberties, and freedom of expression.



**Table 2: Perception of Civil Liberties in the UK, India, and China (Source: Reporters Without Borders and Freedom House 2022)**

Countries	World Press Freedom Index – Reporters Without Borders (2022)		Freedom in the World - Freedom House (2022)
	Score	Rank	
United Kingdom	78.51	26	Free Country
India	36.62	161	Partly Free
China	22.97	179	Not Free

## Recommendation for Balancing Freedom and Content

Balancing the need for freedom of expression and access to information with responsible content management and regulation is a complex challenge. It requires careful consideration of various factors to strike a reasonable and fair balance. In order to achieve this balance, it is imperative to legislate a well-defined legal framework that can outline the boundaries of freedom of expression and set guidelines for responsible content management, such as mechanisms for content takedown, moderation, and appeals (Lemieux and Trapnell 2016). This framework should also consider international human rights standards, such as the International Covenant on Civil and Political Rights, while also considering local cultural and societal norms. Furthermore, in developing and implementing these regulations, there should be an active involvement of various stakeholders such as government representatives, civil society, industry experts, and academia. This participation would ensure a diversity of perspectives and help avoid the concentration of power in the hands of a few. Besides, the nations should try to avoid or repeal the overly broad or vague as they can lead to arbitrary enforcement and unintended consequences. Meanwhile, from the perspective of end-users, digital literacy programs can be promoted to teach individuals how to assess the reliability and credibility of information sources.

This approach can encourage responsible consumption and reduce reliance on heavy-handed content management measures (Ladley 2019).

Lastly, the respective nations can embrace technological innovations, such as artificial intelligence and machine learning, to assist in content management and moderation processes by collaborating with technology companies to develop tools and algorithms to efficiently identify and mitigate harmful content while minimizing the risk of false positives and discriminatory practices (Dwivedi et al. 2021).

## CONCLUSION

In conclusion, the comparative analysis of creative freedom and censorship of OTT platforms in the UK, India, and China reveals distinct approaches in each country. The UK embraces a liberal approach to creative freedom, valuing freedom of expression and relying on self-regulation by the industry. The British Board of Film Classification (BBFC) provides guidelines for content classification and age ratings but does not impose extensive governmental control or interference. In comparison, India recognizes creative freedom while also imposing certain limitations to respect religious and cultural sensitivities. The Central Board of Film Certification regulates content across various media

platforms. The government has recently increased scrutiny and implemented stricter regulations for OTT platforms to balance creative freedom with responsible content management.

In contrast, China operates under a framework of state control and censorship, with limited creative freedom compared to the UK and India, as the Chinese government exercises significant control over media and entertainment to promote ideological values and maintain social stability. Hence, the approach of these countries is influenced by their socio-political and cultural context, resulting in varying degrees of creative freedom and censorship on OTT platforms. Therefore, in order to achieve objectivity in censorship and balance the need for creative freedom, these countries can recognize the global nature of the Internet and the contemporary need for international cooperation in addressing content management challenges by engaging in multilateral discussions to develop shared principles and guidelines while respecting the diverse cultural, legal, and political contexts.



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# THE ROLE OF THE GEOPOLITICAL POSITION OF THE HASHEMITE KINGDOM OF JORDAN TOWARDS AMERICAN FOREIGN POLICY FROM 1990 TO 2017


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**Abstract:** *The role of the geopolitical location of the Hashemite Kingdom of Jordan towards United States (US) foreign policy from 1990 to 2017 is the focus of this study, which addressed the impact of important regional and international political events, positively or negatively, on the development of relations between the two countries in terms of political and security aspects. The study adopted a qualitative approach, and primary data was collected through interviews with 16 participants from political, economic, and security experts in Jordan and the US. Thematic analysis was used to analyze the data obtained. The study concluded that US foreign policy recognizes Jordan as a close ally and considers its stability extremely important; Jordan has a suitable location to defend Israel because critical Arab countries surround it, and Jordan enjoys a unique geographical location in the Middle East. Some political events play an essential role in US foreign policy concerning security aid to Jordan, as the US links its aid to Jordan to political events.*

**Keywords:** Foreign Policy; Political; Security; Geopolitical Position; US; Jordan

## INTRODUCTION

Geopolitics is an approach to the study of contemporary international relations that is based on the study of history, geography, and culture, or, as Dr. James Kurth said, it is the study of "facts and mentalities of localities" (Granieri 2015). Diplomatic relations were established between the Hashemite Kingdom of Jordan and the United States (US) for the first time in 1949. Based on Jordan's crucial geographical location in the Middle East, the United States granted economic and military aid to Jordan for the first time in 1951 and 1957, respectively, and it is continuing, depending on the critical location. The United States and Jordan share the common goals of achieving a comprehensive, just, and lasting peace in the Middle East and ending violent extremism threatening the security of Jordan, the region, and the world. The peace process and the fight against terrorism between the two countries help US interests. The US has helped Jordan maintain its stability and prosperity through military assistance and close political cooperation (Bush 2009).

This study deals with the role of the geopolitical position of the Hashemite Kingdom of Jordan towards American foreign policy from 1990 to 2017. This period witnessed important global

political events that greatly affected US foreign policy in the Middle East and the relations between the United States and the Hashemite Kingdom of Jordan from a special perspective. The political events covered by the study have the greatest impact on the increase or decline of relations between them regarding political and security related to the geographical location.

Therefore, the study focuses on four critical political events (Jordanian-American relations during the Iraq war on Kuwait in 1990, the Jordanian-Israeli peace treaty (Wadi Araba) on October 26, 1994, the events of September 11, 2001, and Trump's decision to move the American embassy in Jerusalem in 2017) and explains them. In great depth to clarify the relationship and the degree of influence of the political event and geographical location on the relations between the Hashemite Kingdom of Jordan and the United States of America from the political and security aspects and their close connection because every political event has its political and security connotations (Sharp 2019; Vatikiotis 2017; Schuetz 2017; Harders 2016; Sharp 2015; Sharp and Blanchard 2012).

In addition to the political aspects, the United States also supported Jordan from the security side in the years 1990-2017 (Congressional Research Service 2018). Security assistance includes Foreign Military Financing (FMF), provision of Military Equipment, International Military Education and Training (IMET), and De-Mining Operations (Vatikiotis 2017).

This study aims to explore the impact of the geographical location of the Hashemite Queen of Jordan on American foreign policy and to clarify the relationship between the political event and its impact on Jordanian-American relations.

## Research Question

What is the importance of the geopolitical position of the Hashemite Kingdom of Jordan in the Middle East to the foreign policy of the United States?

## Significance of the Study

This study is expected to be important in three dimensions. The first aspect will provide some of the literature that contributes to the body of knowledge by looking at the US foreign policy toward Jordan. The research will also shed light on the role and importance of the distinguished geographical location of the Hashemite Kingdom of Jordan in the Middle East region for the benefit of the region and the United States.

The second aspect will benefit decision-makers in both the United States and Jordan by aiding them in making appropriate and strategic foreign policy decisions that are mutually beneficial for both countries.

The third aspect of this research is expected to serve as a guide for future studies in this field—the scope of the study.

This study deals with the US foreign policy towards Jordan from 1990 to 2017. The year 1990 represented a radical change in the world order as it shifted from a bipolar system to a unipolar one. The United States became the sole world power in the aftermath of the Cold War. The year 2017 marks the end of this study because it marked an important event, which is the transfer of the US Embassy from Tel Aviv to Jerusalem. Therefore, the embassy move is of great importance for Jordan

because Jordan is the custodian of the holy places in Jerusalem according to the Wadi Araba agreement.

The data covers the study period to analyze the impact of US foreign policy towards the Hashemite Kingdom of Jordan and to identify the impact of the geographical location of the Kingdom in relation to the US, given the importance of foreign policy as proven in the empirical literature.

## LITERATURE REVIEW

Many political, economic, and military factors affected Jordanian-American relations, which came through Jordan's influence on the geopolitical environment and its international relationship as well as the factors and influences resulting from its demographic and economic situation, including the reality of national wealth, foreign aid, and the socio-economic transformations taking place throughout the reform process, and its implications for the composition of Jordanian society and its social and political structure. The geographical location, demographic factors, and economic conditions in Jordan have contributed to increasing Jordanian interest in the United States, which has raised the level of relations between the two friendly countries at various levels to distinct ranks. The American aid provided to Jordan in 2011 directed to the budget was conditional on Jordan achieving legislative reforms. Others are related to the business sector and investment promotion, and thus, they are achieving transparency and disclosure. Jordan obtaining the usual US aid for 2012 was subject to fulfilling a set of conditions discussed with the US Agency for International Development. Finally, the American military assistance program contributed to strengthening the relationship between the two countries at all levels within solid rules built on the foundations of mutual trust between the two countries while evoking the historical experience of the Jordanian leadership in dealing with successive American administrations that realized the importance of Jordan's role in the success of this strategy (Sheikh 2020).

A study by Kinne (2018) titled "The Confluence of American and Jordanian Exceptionalism: An Enduring or Transactional Relationship" explains that Jordan is a crucial partner for the United States in pursuing and protecting national security interests in the Middle East region. This is due to shared security interests, King Abdullah II's leadership, and Jordan's strategic location. US lawmakers and military leaders need to understand the various security, economic, and social threats that jeopardize Jordan's stability and strive for balance in the region. The US policy towards the Hashemite Kingdom should promote and recognize "Jordanian exceptionalism".

In his 2013 study, Al-Rousan used a historical analytical descriptive approach to identify the ongoing American bias towards Israel and develop concepts to explain it. The study considered the international system and external variables contributing to biased political decisions toward Israel.

A study conducted by Schuetze titled "Simulating, Marketing, and Playing War: US-Jordanian Military Collaboration and the Politics of Commercial Security" revealed that the King Abdullah II Special Operations Training Centre (KASOTC) was established and funded by the US Department of Defence, owned by the Jordanian army, and operated by a US-based private business. KASOTC serves as a training center for international Special Forces, Jordanian border guards, corporate leadership programs, military adventure vacations, and representative training. The study examines the methods and processes involved in US-Jordanian military cooperation, particularly the simulation,

marketing, and playing of war at KASOTC. It emphasizes the political judgments made regarding the value of human subjects and their role in the militarization and marketing processes.

The article argues that US-Jordanian military cooperation at KASOTC both blurs and enhances borders while moralizing commercial security and commercializing moral hierarchies. War at KASOTC is an interactive and expendable event for some, but it generates deadly realities for others. The study used a qualitative approach through empirical security studies based on interviews and observations made during a visit to KASOTC in early 2013 (Schuetze 2017). The study found clear evidence of blurred boundaries in the US and Jordanian military collaboration at KASOTC. However, the results do not support the idea that a new moralized security governance replaces the old neoliberal model. Instead, what we see at KASOTC is a combination of moralized market policies and the marketization of moral politics. The problematic idea that some human subjects are worth more than others, which was shown to be perpetuated by this collaboration, is not simply an external issue to the commercialization of the military but rather is at the core of it (Schuetze 2017).

It is important to note that Jordan has become a crucial strategic partner for the United States due to its efforts in combating terrorism and its unique geographical location. With ongoing counter-terrorism efforts and moderate policies towards Iraq and Israel, Jordan may become a target for violent extremism in the future. Its location on the borders with Israel, Syria, Saudi Arabia, Iraq, and the Palestinian West Bank territories makes it an attractive target for revolutionary groups with regional aspirations. Therefore, the US must assist Jordan in dealing with terrorism and other risks as part of a Middle East policy that promotes moderation and a prosperous future for the region. The study concluded that the US must prioritize Jordan's survival, prosperity, and modernization in exchange for stability and prosperity in the Middle East. As such, the following policy recommendations were developed with these concerns in mind (Terrell 2008).

This study stands out from previous ones due to its comprehensive analysis of the role of the geopolitical position of the Hashemite Kingdom of Jordan towards US foreign policy from 1990 to 2017. The study's unique approach involved qualitative interviews, making it distinct from previous research. The analysis is based on significant political events during the period studied.

## Theoretical Framework

This study examines the realism theory, including classical and "neo-" variations. Classical realism operates under certain assumptions, such as power being the foundation of international relations, the state being the primary unit of analysis, ethics being secondary, and alliances determining the balance of power. Neo-realism, on the other hand, has updated these principles to fit current political, economic, and security realities (Milani 2018; Cox 2016).

Regarding political and military initiatives, the relations between the US and Jordan primarily serve US interests in the Middle East. Given the anarchic nature of the region, the US must maintain strategic allies to enhance its security and maximize its power. Jordan's geographical position in the Middle East makes it especially valuable to the US. For example, Jordan's border with Israel is essential for protecting US interests in that country. Additionally, as an ally of the US and sharing borders with Syria, Iraq, Saudi Arabia, and the West Bank, Jordan places the US in a position of power, security, and dominance. Based on the study's interviews and results, the theory closest to its findings is neo-realism.



## RESEARCH METHODOLOGY

Qualitative research is often considered more suitable than quantitative research for studying behavior and gaining a deeper understanding of participants' personal experiences (Bryman 2017; Yilmaz 2013).

In qualitative research, the researcher is the primary tool for gathering information. As this type of research involves interpretation, the researchers' personal biases, beliefs, and assumptions can potentially affect data analysis (Strauss and Corbin 1998). Therefore, social researchers should strive to be impartial by disclosing their biases fully (Noble and Smith 2015; Chenail 2011). To avoid conflicts of interest, the researchers did not have any direct relationship with the participants that might have influenced the research study, such as a reporting relationship, contract, or personal relationship. The researchers interviewed numerous individuals to collect thorough information to address the research questions.

In qualitative research, samples are typically small and focused on a specific goal of achieving saturation. This study's sample consisted of political, economic, and security experts from Jordan and the US. This included individuals in decision-making positions in Jordan, such as former prime ministers and former foreign ministers, government and private study center officials, university lecturers in international relations from Jordanian public universities, and senior military retirees from the Jordanian army. Notably, the Jordanian participants did not have English as their mother tongue.

Contact information for decision-making individuals from relevant ministries was accessed to recruit participants. They were contacted, and a suitable date for a face-to-face interview was determined. University lecturers were contacted and coordinated to schedule the interview at a suitable location and date. For study centers and military experts, interviews were scheduled by phone coordination.

The study centers, and military experts coordinated their efforts through phone communication to schedule interviews. In terms of sample size, for qualitative research to reach saturation point, Creswell (1998) recommended a range of 5 to 25, while Morse (1994) suggested a minimum of 6.

The primary data was collected through interviews, while secondary data was obtained from various sources, including books, journals, theses, newspapers, seminar papers, and articles.

According to Hill et al. (2005), a suitable interview protocol should consist of 8-10 questions that can be discussed within an hour. Conducting at least two trial interviews to test the questions is also recommended. Therefore, we conducted two experimental interviews to ensure the effectiveness of the questions. The first interview was conducted on campus with a university lecturer specializing in international relations, while the second interview was conducted with a political affairs university specialist. After the experimental interviews, eight questions were developed to gather saturated information for the main study questions.

Table 1: Participant List (Source: Authors' selection)

Participant	Sex	State	Major
1	M	Jordan	Head of the Centre for Middle Eastern Studies
2	M	Jordan	Deputy Prime Minister for Economic Affairs 2016
3	M	Jordan	University lecturer (international relations)
4	M	Jordan	University lecturer (international relations)
5	M	Jordan	University lecturer (international relations)
6	M	Jordan	Head of the University of Jordan Studies Centre
7	M	Jordan	University lecturer (international political economy)
8	M	Jordan	Prime Minister (June 1991 - November 1991)
9	M	Jordan	University lecturer (political science)
10	M	Jordan	Foreign Minister 2011
11	M	Jordan	Retired Major General (modern)
12	M	Jordan	Retired Major General (modern)
13	M	Jordan	Minister of Foreign Affairs (1991-1993)
14	M	USA	University lecturer (international relations)
15	M	USA	University lecturer (international relations)
16	M	USA	University lecturer (international relations)

To recruit participants, the phone numbers of decision-makers from relevant ministries were accessed, and they were contacted by phone to schedule a face-to-face interview. Coordination was made with university lecturers to set the interview date at a convenient location and time. All participants were asked for their consent before audio recording their data. Pictures were also taken with some of them, except for one person from Jordan who declined the audio recording. In this case, all communication with the participant was done in writing.

Data saturation is achieved when enough information is gathered for the study, and adding more information is unnecessary. In this study, saturation was reached after 16 interviews.

For qualitative research to be trustworthy and valid, it relies on the researchers' observations and recordings of what they see and hear (Noble and Smith 2015). To guarantee credibility and portability, it is crucial that the people being interviewed have knowledge about the phenomenon being explored and that the researcher remains unbiased (Noble and Smith 2015). The interviews in this section are fully transcribed manually to ensure reliability and compatibility. A thorough comprehension of the interview content and the participant's intentions is achieved through coding.

Chenail (2011) suggests that to reduce bias in research, it is essential to establish and adhere to precise rules. To achieve this, the researchers in question implemented a set of well-defined rules and controls coupled with audio recordings of all participant interviews to prevent data manipulation.

## Data Analysis

The interview data was analyzed in this study using thematic analysis (TA). Thematic analysis is a popular method for analyzing qualitative data in various fields and can be applied differently to answer research questions. The focus of thematic analysis is to identify patterns of meaning (themes) in qualitative data (Braun and Clarke 2006). Atlas.ti software for qualitative data analysis was used to analyze the interview data systematically. The purpose of using Atlas.ti software was to assist the researchers in discovering and analyzing the interview data. The program provides tools to locate, code, and annotate findings.

The information was gathered through semi-structured interviews and analyzed using inductive thematic analysis. As previously mentioned in the methodology section, Atlas.ti software was utilized for qualitative analysis to code and present the pertinent data from the interview responses. The interview questions were tested beforehand to assess if any restructuring was necessary before the interview. Upon refinement, these questions were implemented for the study. The outcomes of the interview analysis pertaining to the initial inquiry are depicted in the following figures.

The research question investigates the importance of Jordan's geopolitical location in the Middle East to the United States' foreign policy. The interviewees have shared their opinions on this topic, and their responses reflect their knowledge and experience of the research subject. The findings are closely related to the research question.

The participants in the interview were asked to share their opinions on how Jordan's geographical location affects US foreign policy. The results of this inquiry are presented in the table and figures below.

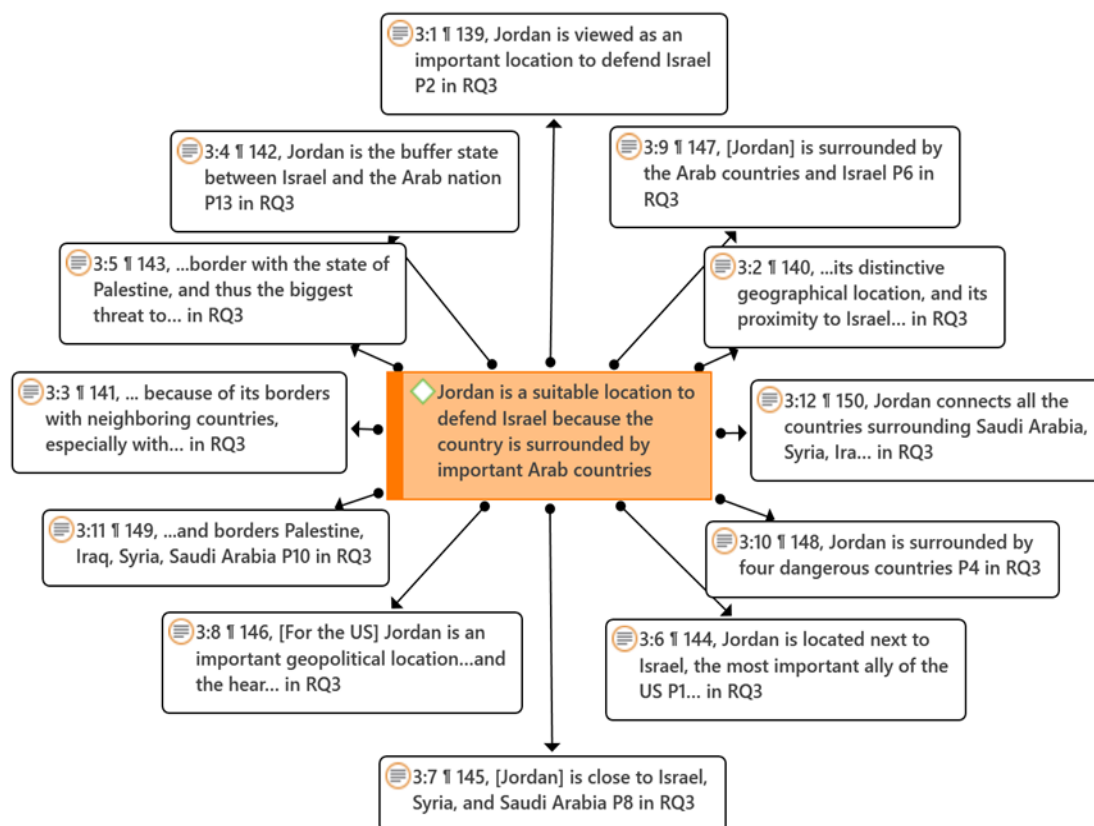


Figure 1: Significance of Jordan's Geographical Location to Defend Israel (Source: Authors' depiction)

As shown in Figure 1, the interview participants believe that the US foreign policy views Jordan as a suitable location to defend Israel because the country is surrounded by important Arab countries, the most important ally of the US. This theme is reflected in the participants' responses to the question on the significance of Jordan's geographical location. For instance, the most relevant statements include "Jordan is viewed as an important location to defend Israel" (P2) because of "its distinctive geographical location, and its proximity to Israel" (P14) and "because of its borders with neighboring countries, especially with Israel" (P16). According to P12, Jordan shares a "border with the state of Palestine, and thus the biggest threat to Israel" (P12). Another theme suggests that Jordan's geographical location is significant to the US foreign policy because important Arab nations surround the country. The responses that formed this theme are presented in the following figure. Finally, another theme suggests that Jordan has a unique geographical location in the Middle East, as represented in Figure 2.

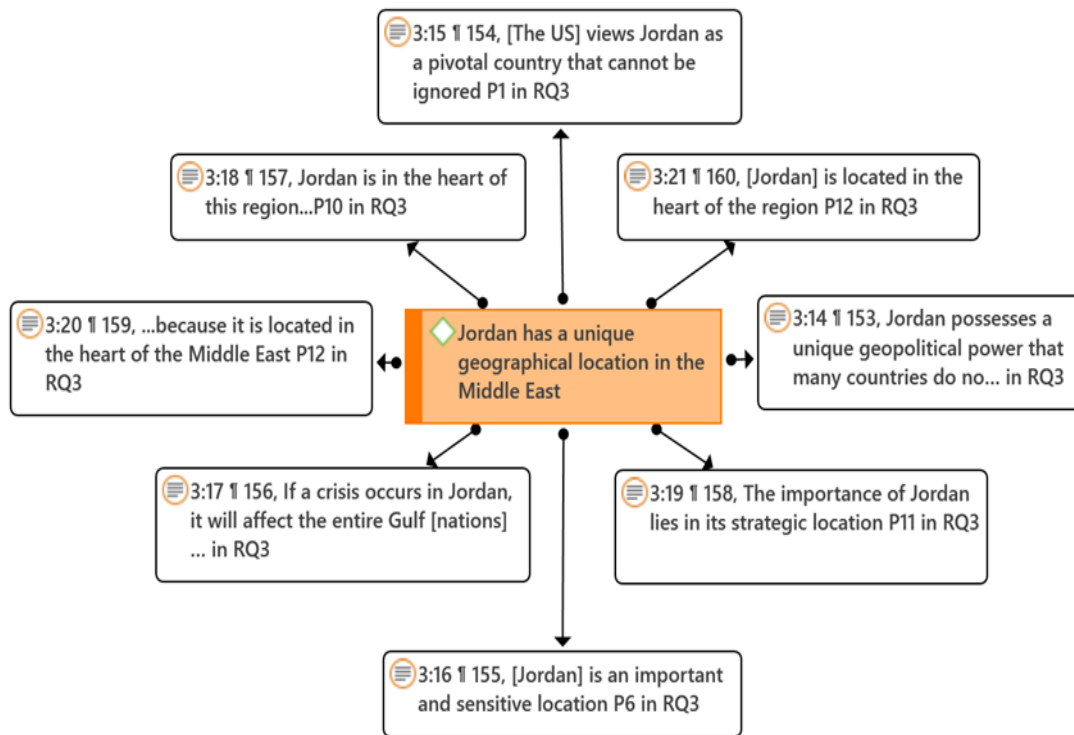


Figure 2: Uniqueness of Jordan's Geographical Location (Source: Authors' depiction)

Figure 2 demonstrates that Jordan has a unique geographical location in the Middle East. This theme is reflected in the participants' responses, such as the US "views Jordan as a pivotal country that cannot be ignored" (P1); Jordan is "an important and sensitive location" (P6); Jordan is in the heart of this region (P10, P12); as well as "the importance of Jordan lies in its strategic location" (P11).

Table 1: Significance of Jordan's Location to the US Foreign Policy (Source: Authors' depiction)

SN	Themes	Exemplary Quotes	Source
1	Jordan is a suitable location to defend Israel because important Arab countries surround the country.	Jordan is viewed as an important location to defend Israel ... its distinctive geographical location and its proximity to Israel ... because of its borders with neighboring countries, especially with Israel Jordan is the buffer state between Israel and the Arab nation ... border with the state of Palestine, and thus the biggest threat to Israel Jordan is located next to Israel, the most important ally of the US [Jordan] is close to Israel, Syria, and Saudi Arabia [For the US ] Jordan is an important geopolitical location...and the heart of the Middle East	P2 P14 P16 P13 P12 P12 P8 P3

		[Jordan] is surrounded by the Arab countries and Israel	P6
		Four dangerous countries surround Jordan.	P4
		... and borders Palestine, Iraq, Syria, Saudi Arabia	P10
		Jordan connects all the countries surrounding Saudi Arabia, Syria, Iraq, in addition to Palestine and Israel	P12
2	<b>Jordan has a unique geographical location in the Middle East.</b>	Jordan possesses a unique geopolitical power that many countries do not possess	P1
		[The US] views Jordan as a pivotal country that cannot be ignored	P1
		[Jordan] is an important and sensitive location	P6
		If a crisis occurs in Jordan, it will affect the entire Gulf [nations]	P7
		Jordan is in the heart of this region ...	P10
		The importance of Jordan lies in its strategic location	P11
		... because it is located in the heart of the Middle East	P12
		[Jordan] is located in the heart of the region	P12

Note: P=Participants

As presented in Table 1, two different themes emerged from the participants' responses to the questions regarding the significance of Jordan's location in the Middle East, particularly to the US foreign policy. First, Jordan is a suitable location to defend Israel. Second, Jordan has a unique geographical location in the Middle East.

## CONCLUSION

The interview participants were asked to express their views regarding the significance of Jordan's geographical location to the US foreign policy. This section discusses the analysis result related to the significance of Jordan's geographical location to US foreign policy.

As presented in Table 1, two different themes emerged from the participants' responses to the questions regarding the significance of Jordan's location in the Middle East, particularly to the US foreign policy. First, Jordan is a suitable location to defend Israel. Second, Jordan has a unique geographical location in the Middle East.

As shown in Figure 1, the interview participants believe that the US foreign policy views Jordan as a suitable location to defend Israel because important Arab countries surround the country. The participants believe that Jordan is close to Palestine, Iraq, Syria, and Saudi Arabia, which are very important nations in the Middle East (P4, P6, and P10). According to P12, Jordan connects all the countries surrounding Saudi Arabia, Syria, and Iraq, in addition to Palestine and Israel. Similarly, P3 believes that for the US, Jordan is an important geopolitical location as well as the heart of the Middle East.

According to the participant's responses, a participant (P2, P16) explains that Jordan is surrounded by several neighboring countries, namely Syria, Iraq, Saudi Arabia, and Israel. Therefore, Jordan considers it a vital position to defend Israel.

Participants (P13, P14) believe that Jordan is the buffer state between Israel and the Arab nations and a buffer zone between Israel and the rest of the countries. From this point of view, the US maintains Jordan's stability to maintain Israel's stability. The US supports Jordan within certain limits, and Jordan cannot be supported within limits that give it the ability to eliminate Israel. The US is fully

aware of Jordan's role in several issues, such as combating terrorism, peace with Israel, Jordanian moderation, and the peace agreement between the two parties.

Thus, through the previous responses, the study believes that the United States wants the stability of Jordan for the sake of the stability of Israel. Instability in the region has led to the civil war in Syria and the increase of extremists there, as well as the instability in Iraq. Therefore, the US fears the instability of Jordan because it will become a center for extremists and terrorists. Therefore, it will be difficult to confront it, and perhaps it will lose the most powerful ally in the region, which is Israel.

The impact of geographical location on foreign policy varies from one country to another depending on several things, the most important of which are the features of the state's territory, the role that can be exercised at the regional and international levels, and the geographical location determine the personality of the state, and many political, economic and military decisions depend on it. Therefore, Jordan is located within a region that fell in the first episodes of American hegemony and the Arab-Israeli conflict (Al-Owaimer, Abdul-Hadi, Al-Musayedin, and Salameh 2016).

The result is inconsistent with Sheikh (2020) and Keenen (2018) in that Jordan's distinguished geographical location had an impact on the US. Aid was linked to that, and Israel had nothing to do with linking aid.

Figure 2 demonstrates that Jordan has a unique geographical location in the Middle East. According to the participant's responses, participants (P4, P7, P9) explain that the US fear of the Iranian and Russian presence in the region through Syria made the US foreign policy look at Jordan's position in an important strategic place and its support politically, economically and militarily to prevent Jordanian rapprochement with Russia and Iran.

Participant (P7) sees the importance of Jordan through its position, as the United States lost the Arab market due to the lack of force of attraction as it was in the past. Now, the Arab market has become in favor of China at the expense of the US and the attempt of Chinese and Russian influence to interfere in the region. Thus, Jordan can be used to apply pressure to thwart the Russian and Chinese projects to interfere in the region in the future (because if China took control through the initiative project (the Belt and Road) and took control of the region, including most of the land and sea passages through the region) America will support Jordan more. Therefore, Jordan's location is what gives it its importance, not its resources and capabilities.

Participants (P8, P11) expressed that Jordan's importance lies in its strategic position in the Middle East, and Jordan geographically is considered the crossing between Africa and Asia. Due to this important location, it imposed significant challenges on Jordan, and the United States supports Jordan because of its important position in the Middle East.

Jordan's geographical location constitutes a passageway for communication between the Arab Mashreq and the Arab Maghreb. It constitutes the northern crossing for the countries of the Arabian Peninsula to link them by land with Syria, Turkey, and Europe. Also, Jordan's proximity to a major regional state made it consider the balance of power calculations as the saying of politics behind geography agrees with Jordan (Al-Owaimer, Abdul-Hadi, Al-Musayedin, and Salameh 2016).

Participants (P10, P12) stress that geographical location is important because it surrounds neighboring countries with different ideologies and geography, from the west on the borders of the democratic state (Israel) and the east on the borders of the politically unstable state (Iraq).

The result is consistent with Sheikh (2020) and Keenen (2018) in that Jordan's distinguished geographical location had an impact on bringing the US.

Both results are consistent with neorealism theory through the relations between the US and Jordan that are expressed in terms of economic, political, and military initiatives that ultimately serve the American interests in the Middle East. The anarchic nature of the world in general and the Middle East, in particular, made the United States maintain and appease strategic allies in the region to achieve the maximization of power and enhance its security. The geographical position of Jordan in the Middle East made it very important to the United States' interests. For instance, the border that exists between Jordan and Israel made Jordan crucial for the protection of US interests in Israel. Also, as an ally of the US in the region, Jordan is sharing the border with Syria, Iraq, Saudi Arabia, and the West Bank, placing the US in a position of power, security, and hegemony dominance.

The study believes that the US worry about the Iranian and Russian presence in the region through Syria made the American foreign policy look at Jordan's location as an important strategic location and support it politically, economically, and militarily to prevent Jordanian rapprochement with Russia and Iran clearly. Thus, Jordan will use pressure to thwart Russian and Chinese projects to intervene in the region in the future.

Jordan is important in its strategic location in the Middle East, and Jordan is considered a geographical crossing between Africa and Asia. Because of this important location, significant challenges have been imposed on Jordan, and the United States supports Jordan because of its important location in the Middle East.

## Recommendations

The results show the importance of Jordan's geographical location. The country should utilize its location to promote international cooperation and strengthen Arab security as a buffer zone between itself and Israel. The Arab nations should be encouraged to resolve the Palestinian issue and act as mediators through their peace agreement with Israel and strategic alliance with America.

After analyzing the data, it is recommended that the Jordanian government enhances its collaboration with international and regional economic alliances, especially by engaging with the European Common Market. This is the most significant economic and political group that significantly impacts European policies and global politics overall. It is crucial to have clear and effective strategies in place to direct this collaboration.

Furthermore, Jordan's policies must be updated to align with global realities and exert pressure on the US to involve Jordan in regional and international affairs. This can be achieved by adapting to new structures, systems, and situations in the international arena.

It is evident that the United States values its interests in the region and has prioritized its partnership with Israel through the embassy move. Consequently, Jordan must focus on developing its political, economic, and military capabilities to defend itself and compete with Israel's progress, given its neighboring country's advancements in these areas.

Based on the findings, the United States offers Jordan security assistance and equipment as long as it does not upset the balance of power with Israel. Consequently, the security focus with America needs to be reevaluated to align with the Jordanian-American strategic alliance and the security partnership they share in areas such as counter-terrorism rather than tying it to Israel.

To promote stability and moderation in Jordan, we will continue to pursue policies of cooperation and non-extremism that serve the national interest.



To effectively navigate the changes brought about by the Arab Spring, it is essential to review internal and external policies regularly. This should be done with a commitment to flexible and dynamic approaches that avoid stagnation while also upholding core principles such as non-interference in the affairs of other nations, a focus on dialogue to solve problems, ongoing cooperation with Arab and Islamic allies, respect for international laws and norms, and a rejection of foreign interference and land seizures by force.

It is essential to prioritize Jordan's primary concern, which is the Palestinian issue. The Jordanian-American partnership should not impose any pressure on Jordan through aid or the International Monetary Fund to solve the Palestinian issue at Jordan's expense, nor should Jordan be considered as an alternative homeland.

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# THE EFFECT OF FINANCIAL DEVELOPMENT ON INCOME INEQUALITY

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**Abstract:** *The imperative goal of attaining sustainable development necessitates mitigating income inequality and bolstering access to financial institutions. This research explores the influence of an array of independent variables, namely credit demand, GDP per capita, inflation, government consumption expenditure, and education, on the Gini coefficient across the EU's 27 Member States from 2008 to 2019. The investigation procured secondary data from the esteemed international entity, the World Bank, with 324 observations belonging to the panel type. Because of the utilization of panel data, this study implemented various econometric models, commencing with the OLS model, followed by the fixed effects model (FE) and random effects model (RE). According to the outcomes of the econometric models, credit demand and education positively impact income inequality. At the same time, GDP per capita, inflation, and government consumption expenditures have a negative effect on income inequality. Additionally, the findings demonstrate the significant impact of credit demand, GDP per capita, inflation, and government consumption expenditures on income inequality.*

**Keywords:** *Gini Coefficient; Demand for Credit; GDP Per Capita; Inflation; Government Consumption Expenditure; Education*

## INTRODUCTION

The relationship between financial development and income inequality in the European Union is a complex issue that has been the subject of much research in recent years. In the EU, studies have shown that income inequality tends to increase as financial systems become more developed. This suggests that while financial development may bring economic growth, it may also increase income inequality. Factors such as exchange rates, purchasing power, inflation rates, and national statistics should be considered when analyzing the effects of financial development on income inequality in the European Union (EU) (Kolluru 2021). As one of the most talked-about economic, social, and political concerns, the rise in income inequality is a global worry. The emergence of inequality and its detrimental effects on economic development and progress are concerns shared by academics and government officials.

The gap between the rich and poor has been at its highest level for decades in advanced economies. At the same time, inequality trends have been more mixed in emerging markets and developing countries (Dabla-Norris 2015). This trend is particularly true for candidates and potential EU countries, where despite rising *per capita* incomes, high levels of income inequality persist (Bucevska 2019).

This study aims to identify the main determinants of income inequality among the member countries of the European Union. The primary objective of this paper is to comprehend the leading causes and determinants of income inequality in the countries under study. It aims to provide a framework on which the government can rely to formulate appropriate policies for the development of the financial sector, the promotion of economic growth, and the reduction of income inequality. Furthermore, a secondary objective is to assess how the independent variables have impacted income inequality. To achieve this, the study focused on some of the most critical factors influencing income inequality, such as credit demand, GDP *per capita*, inflation, government spending on consumption, and education. The Gini coefficient was used as a dependent variable to measure income inequality in the 27 EU countries between 2008 and 2019. The study employed various statistical models, including OLS, OLSR, FE, and RE, to analyze the data, and the results were tested for linearity.

## LITERATURE REVIEW

The literature on inequality and its consequences for society is vast and complex. Piketty's (2014) influential book, "Capital in the Twenty-First Century", presents a stark picture of wealth concentration and its implications for democracy. The author argues that progressive taxation is necessary to address inequality and prevent further erosion of the middle class. Atkinson (2015) proposes a range of policies to address inequality, including increased investment in education and social policies to reduce poverty.

Milanovic's (2016) new approach to the age of globalization takes a global perspective on inequality and its relationship with globalization. The author argues that while globalization has led to the rise of a global middle class, it has also created winners and losers and increased inequality within and between countries. Stiglitz's (2015) book, "The Great Divide: Unequal Societies and What We Can Do About Them", presents a detailed analysis of inequality in the United States and its implications for economic growth and stability. The author proposes a range of policies to address inequality, including progressive taxation and investment in education and infrastructure.

Alvaredo (2018) comprehensively analyses global inequality and the increasing concentration of wealth at the top. Alesina and Rodrik's (2019) article, "Distributive Politics and Economic Growth", explores the relationship between income distribution and economic growth. The authors argue that a more equal income distribution can lead to higher economic growth by reducing political instability and increasing investment.

Garbinti, Goupille-Lebret, and Piketty's (2017) paper provides a historical perspective on income inequality in France. The authors use new data sources to show that income inequality has risen in France since the 1980s. Milanovic (2019) examines the future of capitalism in a globalized world and challenges the traditional model of liberal capitalism, arguing that the rise of state capitalism in China and other countries threatens the current economic system.

Boushey (2019) explores the negative consequences of high levels of inequality on economic growth and proposes policies to address it, including increasing access to education and healthcare. Finally, Saez and Zucman's (2020) book, "The Triumph of Injustice: How the Rich Dodge Taxes and How to Make Them Pay", examines how the wealthy avoid paying taxes and proposes policies to increase tax progressivity to reduce inequality.



The relationship between financial development and income inequality has been a topic of considerable interest in academic research. Financial development can be understood as the growth and sophistication of financial markets and institutions, such as banking, stock, and insurance, and their impact on economic growth, income distribution, and poverty reduction. This literature review provides an overview of selected research studies examining the relationship between financial development, income inequality, and poverty. The paper examines the role of private credit/GDP, GDP *per capita*, inflation, government spending, and education in shaping the relationship between financial development, income inequality, and poverty.

Jauch et al. (2016) examined the relationship between financial development and income inequality using data from 138 industrialized and developing nations. Their findings contradict theoretical models asserting that financial development will negatively influence income inequality as measured by the Gini coefficient. They used credit to GDP as a measure of financial development. Similarly, Bolarinea et al. (2021) examined the connection between economic growth and inequality in 40 African nations. They found that inequality rises in high-, middle-, and low-income nations depending on the private loan to GDP ratio. Kappel (2012) also investigated how the banking sector's growth affects wealth disparity. Private credit to GDP has the greatest impact on inequality, and an increase in private credit to GDP reduces poverty by 0.2% to 0.5%, according to the estimated coefficient of private credit.

Seven et al. (2018) analyzed data from 30 developed and developing countries from 1995 to 2013 and concluded that private sector credit affects the reduction of income inequality.

Numerous scholars have examined the connection between GDP *per capita* and income inequality because it is one of the critical determinants of income disparity. Bucevska (2019) conducted an econometric study that examined the primary causes of income inequality in the EU candidate countries (North Macedonia, Serbia, and Turkey) for the period 2005-2017. Their findings show that growth in GDP *per capita* is statistically significant and causes a greater differentiation of income levels. Hartini (2015) investigated the effects of GDP *per capita*, investment, and the human development index on income inequality between areas in the Special Province of Yogyakarta between 2011 and 2015. The variable of GDP *per capita* is significant and positively affects the income disparity.

In contrast, Brueckner et al. (2015) calculated the impact of income inequality on real GDP *per capita* using panel data from 104 countries between 1970 and 2010. Their research concludes that income disparity considerably adversely impacts growth and long-term GDP *per capita*. The authors develop a panel data model in which the income of nations affects the relationship between inequality and growth in GDP *per capita*. According to model projections, the link between inequality and GDP growth *per capita* is notably deteriorating in first-income nations. The outcomes of the instrumental variable regressions demonstrate that increased income disparity propels transitory growth in low-income nations. In high-income countries, inequality has a significant negative impact on transitional growth. For the typical country on the planet, with a GDP *per capita* of around \$10,000 in 2015, estimations show that a 1% increase in the Gini coefficient reduces GDP *per capita* growth over five years by more than 1% percentage point.

Inflation and income inequality are two phenomena that are related in different ways. Different authors have studied the connections between them and have reached different conclusions.

The studies do not give a clear answer to whether the inflation rate increases or decreases income inequality. Using panel data techniques, Narob (2015) examined the connection between income inequality and inflation in 46 developing nations from 2000-2012. The inflation rate was an independent variable, while the Gini coefficient was utilized to calculate income disparity. Thus, in contrast to earlier studies, a nonlinear impact of inflation on income disparity is tested. The econometric findings, which employ the GMM estimator, are consistent with the premise that there is a nonlinear relationship between inflation and income inequality and that inflation significantly reduces income disparity. Hence, greater income disparity is linked to higher inflation. On the other hand, research by Siami-Namini et al. (2019) on inflation and income inequality in developed and developing nations demonstrates a nonlinear relationship between the two, indicating that income inequality falls as inflation rises.

Additionally, some researchers have discovered that inflation lessens income inequality (Maestri et al. 2012; Coibion et al. 2012).

The question of what the government can do to lessen income inequality and poverty has garnered much attention as they have emerged as significant worldwide challenges. According to several experts, government spending significantly lowers income disparity and the poverty rate (Anderson, 2017). According to research by authors Destek et al. (2020) on the connection between financial development and income disparity, the findings demonstrated that raising government spending lowers income inequality. On the other hand, a study examining the connections between private credit, stock market metrics, income inequality, and poverty analyzed annual data for nine African economies from 1992 to 2018. The findings imply that public funding is targeted toward areas that worsen inequality and poverty because it has a favorable impact on these issues (Serafim 2021).

The connection between education and income inequality continues to be a contentious topic in economic discussions. According to Shahabadi et al. (2018), the findings demonstrate that primary and secondary enrollment rates harm income disparity. Similarly, Omar et al. (2020) claim that education greatly reduces poverty because it gives people the skills they need to integrate into the labor market, generate cash, and, therefore, better their living situations. The impact of trade liberalization on income inequality in China and the nations of the South Asian Association for Regional Cooperation was empirically investigated in research by the authors Zakaria et al. (2016). According to the panel data research covering the years 1973 to 2012, education lowers income disparity. Also, the empirical findings from (Park et al. 2018; Le et al. 2020; and Sabir et al. 2018) and (Le et al. 2020) and (Sabir et al. 2018) strongly underscore the significance of increasing educational attainment as a weapon for reducing inequality.

## METHODOLOGY

The methodology used in this research belongs to the quantitative methodology as it is based on secondary data. The focus was on the 27 EU Member States from 2008 to 2019. The data used for the analysis was in the form of Panel data and was sourced from the World Bank. A total of 307 observations were included in the analysis, given the existence of missing data on the Gini coefficient, credit demand, and education variable. Several econometric models were employed in this study to explore a wider range of models, leveraging the benefits of Panel data. Initially, the Ordinary Least Squares (OLS) model was used for the analysis.

However, the Fixed Effects (FE) and Random Effects (RE) models were also utilized due to unbalanced panels. The implementation of Panel data in this study provided an opportunity to use a larger number of models, thereby increasing the reliability and accuracy of the results obtained. The utilization of various econometric models was also crucial in establishing the impact of financial development on income inequality in the European Union countries under study.

The equation used for the empirical analysis is as follows:

$$\text{GINI} = \alpha + \beta(\text{KPK}) + \beta(\text{GDPC}) + \beta(\text{INF}) + \beta(\text{SHQK}) + \beta(\text{EDU}) + \varepsilon \quad (1)$$

The study has the Gini coefficient as its dependent variable and several independent variables, including credit demand (KPK), GDP *per capita* (GDPC), inflation (INF), government consumption expenditure (SHQK), and education (EDU). The coefficients of the independent variables and the regression constant are estimated as parameters  $\beta$  and  $\alpha$ , respectively. Additionally, the error term ( $\varepsilon$ ) represents other variables that may potentially affect the Gini coefficient but are not included in this equation. The model variables are described in detail in Table 1.

Table 1: Description of Research Variables (Source: Authors' calculations)

Variable	Abbreviations	Unit	Source	Expected Impact
Gini coefficient	GINI	Coefficient 0-100	World Bank	
Credit Demand	KPK	% of GDP	World Bank	+
GDP <i>per Capita</i>	GDPC	\$	World Bank	-
Inflation	INF	%	World Bank	+
Government Consumption Expenditure	SHQK	% of GDP	World Bank	-
Education	EDU	% of the increase in compulsory school attendance	World Bank	+

## RESULTS

This section elucidates the study's empirical findings, which were evaluated through the STATA statistical software. The initial step entails presenting the descriptive statistics of the variables, followed by the correlation coefficient table, which sheds light on the nature of inter-variable relationships. Subsequently, the outcomes of the econometric models and the linearity tests will be presented to examine the possible effects of the independent variables on the dependent variable, i.e., the Gini coefficient. The statistical calculations were conducted with utmost precision, and the results obtained from the models are reliable and valid.

Table 2: Descriptive Statistics of the Variables (Source: Authors' calculations)

Variable	Obs	Mean	Std. Dev.	Min	Max
GINI	318	31.39	3.67	23.2	41.3
KPK	320	88.89	44.73	24.74	255.31
GDPC	324	33335.91	22726.57	4982.22	123678.7
INF	324	1.76	2.03	-4.48	15.4
SHQK	324	19.87	3.11	11.88	27.93
EDU	317	109.33	16.48	80.32	163.93

Table 2 provides a detailed analysis of the research variables, revealing that the model includes 324 observations over 12 years from 2008 to 2019, encompassing the 27 EU countries. Interestingly, only three variables exhibit missing data, namely the Gini coefficient, credit demand, and education variables, with 6 years, 4 years, and 7 years of missing data, respectively. This lack of data is notably attributed to the statistical entities collecting and publishing the data. Looking at the average Gini coefficient value of 31.39, it becomes apparent that income inequality has not been particularly high during the study period. This variable was measured using a 0-100 coefficient, where lower values signify lower inequality.

Additionally, the data show that EU countries exhibited a credit demand of 88.89% of the Gross Domestic Product, indicating a robust credit market. Moreover, the average GDP *per capita* throughout the studied period was \$33,335.91, revealing that the EU countries had a relatively strong economy. Furthermore, education, expressed as the percentage of attending compulsory schooling, emerged as another influential factor in the Gini coefficient. The average attendance of compulsory schooling was 109.33%, suggesting that over twice the population attended this level of schooling. Regarding inflation rates, Latvia registered the highest value of 15.4% in 2008, highlighting the volatility of inflation rates in some EU countries. Finally, Luxembourg exhibited the highest *per capita* income among the study countries, with a value of \$123,678.7 in 2014, indicating a high-income economy. Overall, the descriptive statistics of the variables provide valuable insights into the economic and social conditions of the EU countries during the study period.

Table 3: Correlation Analysis (Source: Authors' calculations)

Variables	(1)	(2)	(3)	(4)	(5)	(6)
(1) GINI	1.000					
(2) KPK	0.048	1.000				
(3) GDPC	-0.201	0.334	1.000			
(4) INF	-0.032	-0.168	-0.087	1.000		
(5) SHQK	-0.455	0.330	0.222	-0.069	1.000	
(6) EDU	-0.226	0.153	0.313	-0.179	0.492	1.000

The correlation coefficient results presented in Table 3 provide insight into the strength and direction of the relationships between variables in the study. The coefficient values range from -1 to 1, where -1 indicates a perfect negative correlation, 0 indicates no correlation, and 1 indicates a perfect positive correlation. This study found a weak positive correlation between the Gini coefficient variable and the demand for credit variable, with a correlation coefficient of  $r = 0.048$ . This means that an increase in the demand for credit is associated with a slight increase in the Gini coefficient. On the other hand, a modest negative correlation was observed between the Gini coefficient and GDP *per*

*capita*, with a correlation coefficient of  $r = -0.201$ . This result implies that the Gini coefficient declines as *per capita* income increases.

Moreover, a weak negative correlation was found between the Gini coefficient and inflation, with a correlation coefficient of  $r = -0.032$ . This suggests that as inflation rises, the Gini coefficient decreases. Furthermore, the correlation analysis reveals a weak negative association between the Gini coefficient and government spending on consumption, with a correlation coefficient of  $r = -0.455$ . This result indicates that increased government spending on consumption is associated with a decrease in the Gini coefficient. Finally, the education variable is also negatively correlated with the Gini coefficient, with a correlation coefficient of  $r = -0.226$ . This implies that an increase in education is associated with a decrease in the Gini coefficient. Overall, the correlation analysis shows that government spending on consumption and education, *per capita* income, and inflation can influence the level of income inequality measured by the Gini coefficient. However, the strength of the relationships between the variables is weak to modest, suggesting that other factors not included in the study may also affect income inequality.

Table 4: Analysis of Econometric Models (Source: Authors' calculations)

Variables/Model	OLS	OLSR	FE	RE
KPK	0.0265*** (-5.94)	0.0265*** (-5.99)	0.0106* (-2.05)	0.0124* (-2.53)
GDP_C_log	-1.775*** (-5.37)	-1.775*** (-6.19)	0.209 (-0.48)	-0.225 (-0.57)
INF	-0.0811 (-0.82)	-0.0811 (-0.92)	-0.125** (-3.08)	-0.119* (-2.95)
SHQK	-0.576*** (-7.36)	-0.576*** (-8.49)	-0.0699 (-0.12)	-0.152 (-1.38)
EDU	0.0184 (-1.44)	0.0184 (-1.71)	0.00634 (-0.69)	0.00199 (-0.22)
_cons	56.65*** (-18.96)	56.65*** (-21.76)	29.16*** (-5.77)	35.61*** (-7.88)
Mean VIF	1.36			
Hettest	0.2238			
N	307	307	307	307

Note: t statistics in parentheses, \*10%, \*\* 5% \*\*\*1%

Table 4 presents the results of four econometric models, with the OLSR model chosen as the basis for analysis due to its advanced features of minimizing error terms. The OLSR model was run with a total of 307 observations. The results show that credit demand positively impacts the Gini coefficient, with a coefficient of 0.0265. This means that for every 1% increase in GDP in demand for credit, the Gini coefficient decreases by an average of 0.0265 units. This coefficient is statistically significant at the 1% level, indicating a strong relationship between credit demand and the Gini coefficient. The GDP *per capita*, on the other hand, has a negative impact on the Gini coefficient, with a coefficient of -1.77. This means that for every 1% increase in GDP *per capita*, the Gini coefficient decreases by an average of 1.77 units. This coefficient is also statistically significant at the 1% level, indicating a strong relationship between GDP *per capita* and the Gini coefficient. The impact of inflation on the Gini coefficient is negative, with a coefficient of -0.0811. This means that for every 1% increase in inflation, the Gini coefficient decreases by an average of 0.0811 units. Government spending on consumption has a negative impact on the Gini coefficient, with a coefficient of -0.576. This means that for every 1% increase in GDP in government spending on consumption, the Gini coefficient decreases by an average of 0.576 units. This coefficient is statistically significant at the 1%

level, indicating a strong relationship between government spending on consumption and the Gini coefficient.

On the other hand, education has a positive impact on the Gini coefficient, with a coefficient of 0.0184. This means that for every 1% increase in the population following compulsory schooling, the Gini coefficient increases by an average of 0.0184 units. The average of the test for multicollinearity (mean VIF = 1.36) indicates that the data model does not suffer from the multicollinearity problem. This is because the average of this test does not exceed the value of 5, which is the threshold for multicollinearity. The Breusch Pagan test also shows that the data do not suffer from the problem of heteroskedasticity, with a P-value of 0.0238 (22.38%). These results suggest that policies targeting increased GDP *per capita* and reduced inflation and government spending on consumption can help decrease income inequality as measured by the Gini coefficient, while policies targeting increased education.

## CONCLUSION

Financial development and income inequality are closely related to each other in the countries of the European Union. Research has shown that as financial systems in EU countries become more developed, income inequality tends to increase. This highlights the need for policymakers to take a balanced approach when promoting financial development to avoid worsening income inequality.

While financial development can bring economic growth, it is important to consider its potential negative impact on income distribution. This can be achieved by implementing policies such as progressive taxation, social safety nets, and targeted investments in education and training programs that can help mitigate the negative effects of income inequality and promote more inclusive growth.

Furthermore, it is essential to continue monitoring the relationship between financial development and income inequality in the EU and to take action to ensure an equal distribution of wealth and opportunity. This study aimed to find the primary causes of income inequality among the European Union's member states. The effect of credit needs, GDP *per capita*, inflation, government consumer spending, and education in determining income disparity is discussed in the study with a particular focus on the years 2008 through 2019.

The results of the analysis of the econometric models essentially complement the results of the literature and are consistent with the expected impact, except for inflation. According to the results of the econometric models and the reviewed literature, credit demand and education positively affect income inequality. The results also show a negative correlation between GDP *per capita*, inflation, government consumption expenditure, and income inequality. As for the importance of the variables, the results show that credit demand, GDP *per capita*, inflation, and government consumption expenditures significantly impact income inequality, while education results in a lower impact on income inequality.

This study has several limitations that need to be considered.

First, the study only focuses on the European Union. It may not be generalizable to other regions or countries, making it difficult to draw broader conclusions about the relationship between financial development and income inequality.

Additionally, the study only considers a limited number of variables, and other important factors, such as demographic trends, political factors, and cultural differences, were not analyzed. Another limitation of this study is that it only analyzes data from 2008 to 2019, and there may have been significant changes in the relationship between financial development and income inequality outside of this time frame.

Despite these limitations, this study provides valuable insights into the relationship between financial development and income inequality in the European Union, highlighting important policy implications for promoting inclusive economic growth. To overcome these limitations, future research could expand the scope of the study to include data from other regions of the world, consider a broader range of variables, and use alternative data sources to validate the findings.

## CRediT AUTHOR STATEMENT

**Vesë Qehaja-Keka:** Conceptualization, writing - review and editing, formal analysis.

**Atdhetar Gara:** Methodology, conceptualization, formal analysis, software, investigation.

**Erblina Hajdari:** Data curation, visualization.

**Arber Hoti:** Software, writing - review and editing, visualization.

All authors have read and agreed to the published version of the article.



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# POLITICAL PARTY INSTITUTIONALIZATION FROM A COMPARATIVE PERSPECTIVE: THE CASE OF THAILAND

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**Abstract:** *This article examines the importance of institutionalizing political parties in developing democracy. This article develops the conceptual framework of the institutionalization of political parties, which combines institutionalization factors in both internal and external dimensions and applies this conceptual framework to extract lessons on the institutionalization of political parties in various democratic countries, including Thailand. The results of applying the aforementioned conceptual framework, in particular to the case of Thailand, indicate that the failure to apply the notion of institutionalization to political parties in this country stems from the traditionally narrow-minded approach to considering the institutionalization of political parties rather than problems with the idea itself. Thus, this article suggests that building an institution for a political party is something that can be designed by giving importance to the development of political parties in a structured manner, along with promoting political parties to have the ability to play a solid political role under the democratic regime.*

**Keywords:** *Institutionalization; Political Parties; Thailand*

## INTRODUCTION

The emergence of political parties that have been quickly and continuously successful in elections due to the prominence of party leadership, coupled with the utilization of open data, digital technology, and new media in various countries during the past decades, has made the idea of political party institutionalization questionable, both in terms of the modernization of the concept and in terms of the merits of applying it as a way to strengthen political parties (Gerbaudo 2018; Margetts 2006). However, the lessons learned from the development of political parties in both old and new democratic countries presented in many recent studies confirm that, in theory, the idea of political party institutionalization is still important and necessary for the development and strengthening of political parties (Hicken and Kuhonta 2015; Scarrow, Wright, and Gauja 2022). In practice, institutionalized political parties can play vital roles in promoting the stability and sustainability of democracy, whether from the experience of old democratic countries such as the United Kingdom (Webb and Bale 2021) and the United States (Schattschneider, Eric, and Pearson 2017), those with progressive democracies such as Germany (Klüver and Iñaki 2016), Japan (Krauss and Pekkanen 2018), New Zealand (Gauja 2016), and South Korea (Hellmann 2014), or even countries with a transitional democracy such as Indonesia (Tan, Hicken, and Kuhonta 2015) and Colombia (Piñeiro Rodríguez and Rosenblatt 2020).

This article emphasizes the importance of building up the institutionalism of political parties in developing democracy. It emphasizes that establishing institutionalism in political parties

necessitates prioritizing the structural development of political organizations, concurrently enhancing their capacity to fulfill robust political roles within democratic regimes. The content of this article is divided into six sections, consisting of, first, an introduction; second, a review of the relevant literature in order to develop a conceptual framework for the institutionalization of political parties; third and fourth, the results of applying the concept of institutionalization of political parties in order to consider the institutionalization of political parties and the approach to institutionalization of political parties in several democratic countries; fifth, a discussion that extracts the lessons-learned on the institutionalization of political parties in Thailand; and sixth, an overview of the content and recommendations for improving constitutional provisions and related laws as a guideline for pursuing the institutionalization of political parties in Thailand.

## CONCEPTUAL FRAMEWORK FOR THE INSTITUTIONALIZATION OF POLITICAL PARTIES

In reviewing the idea of the institutionalization of political parties, one of the most influential and frequently cited explanations in the study of political parties and the political party system appears in Samuel Huntington's book "Political Order in Changing Societies". Huntington (1968) values the strength of political institutions, including political parties, and has laid out four benchmarks of political institutions: (1) adaptability is the ability to survive environmental challenges and to have a long life; (2) complexity is the presence of internal divisions to perform a variety of different functions; (3) autonomy is the freedom to work according to one's ideology, free from the dominance of any social group; and (4) coherence is unity and consensus. Samuel Huntington's political institution benchmarks have been criticized for their emphasis on internal or organizational institutionalization (internal/organizational dimension), whereas the particular institutionalization of a political party requires consideration from an external dimension or systemic institutionalism (external/systematic dimension).

The main external dimensions of institutionalism, or systemic institutionalism, are (1) a stable pattern of interparty competition and (2) recognition from other political actors as legitimate and necessary for democracy (parties viewed as legitimate and necessary) (Hicken and Kuhonta 2015; Bizzarro, Hicken, and Self 2017).

The conceptual framework for the institutionalization of political parties used in this article considers the experience of the institutionalization of political parties in many democratic countries and then precisely focuses on Thailand. The conceptual framework was developed by combining the internal dimension of a political party's institutionalization according to Huntington's four standards of political institutions with the institutional dimension of a political party, together with two other external political parties or systemic institutions (Table 1).

**Table 1: Institutional Dimensions and Indicators under the Concept of Institutionalization for Political Parties**  
(Source: Authors' depiction)

Institutional Dimensions	Indicators
Internal/Organizational Dimension	(1) Adaptability (2) Complexity (3) Autonomy (4) Coherence
External/Systematic Dimension	(1) Stable pattern of interparty competition (2) Parties viewed as legitimate and necessary

### INSTITUTIONALIZATION OF POLITICAL PARTIES IN DEMOCRATIC COUNTRIES: A COMPARATIVE PERSPECTIVE

The dimensions of institutionalism and the indicators under the concept of the institutionalization of political parties are applied to consider the political parties in several democratic countries. In terms of internal dimensions or organizational institutions, an institutionalized political party is a political party that can adapt and survive challenging environments. Pressure from change can arise both from outside, such as changes in the electoral system and the provisions of relevant laws, and from within the political party, such as changes in the individuals holding important positions in the party, such as the leader or executive committee members. Parties that have continued to exist and that have achieved electoral success while the country is undergoing significant political reforms through election system improvements, such as the Liberal Democratic Party in Japan (Krauss and Pekkanen 2018) and the Labor Party and the National Party in New Zealand (Gauja 2016), exemplify the institutionalized political party's ability to adapt to external challenges. Meanwhile, the centuries-old roots of large political parties, namely the Conservative Party and the Labour Party in the UK, the Democratic Party and the Republican Party in the United States, and the Social Democratic Party and the Christian Democratic Union in Germany, are evidence that the longevity of an institutional political party does not depend on the political life of a particular political leader or a particular family (Webb and Bale 2021; Schattschneider, Eric, and Pearson 2017; Klüver and Iñaki 2016). The ability to adapt to the challenges that may come from outside and inside the political parties in these countries also plays an essential role in ensuring the continuity and strength of the democracies in these countries (Poguntke et al. 2016; Scarrow, Webb, and Poguntke 2017).

In addition to the ability to adapt, institutionalized political parties also need to organize their organizational structure so that responsibilities are distributed among various sub-departments or branches. This helps political parties maintain the loyalty of their members and adapt to new changes and demands, allowing for the division of labor according to aptitude, which can increase efficiency in the party's performance. The growth and establishment of local political parties in Indonesia during the post-Suharto era is a vivid example of how complex organizational structures, whether divisions are based on line or function, can be challenging to achieve and that spatial distribution is an essential condition for the institutionalization of political parties (Tan, Hicken, and Kuhonta 2015).

In addition, political parties with internal or organizational institutions will be independent in their work according to their ideology and without being interfered with or dominated by the interests of any person or a particular social group. Independent political parties are resilient and can always

cope with new political and social forces. The collapse of the political institutionalization of the main political party system in Colombia since the 1990s exemplifies a failure to institutionalize political parties because the political parties have been independent and dominated and interfered with until they were unable to play a role according to their ideologies (Piñeiro Rodríguez and Rosenblatt 2020). Meanwhile, political parties with inside power or institutionalization need to have solidarity with the continual activities of political parties. This solidarity does not undermine the principle of independence as it defends against the intrusion of external destructive forces. The multi-party system has often been dissolved and merged to form new ones, producing the longevity of political parties in South Korea, for example (Shin 2020). This is an example of a political party system that cannot institutionalize a political party because it lacks unity and solidarity and cannot sustain a consensus.

However, when institutionalization is considered from the point of view of the external dimension or as a systemic institution, the adoption of the rules of political competition through elections is the only means of obtaining legitimacy among politicians and political parties, no matter whether the change is made by polarization or by choosing a new political side, allows political parties that may still have internal institutional or organizational institutions in many countries, such as the political parties in Indonesia, Colombia, and South Korea, to be the main actors that play a role in maintaining a stable democracy (Heo 2018). With such a role played by political parties, democracy in the countries mentioned above has survived the interference of undemocratic external forces until now.

In summary, the institutionalization of political parties is, stated clearly, the process by which a political party can establish its identity through the convergence of patterns of behavior and values from both inside and outside the party (Randall and Svåsand 2002). For this reason, an individual must not dominate institutionalized political parties but a party with supporters that have strong and stable ties with the party (Hicken and Kuhonta 2015). In other words, institutionalized political parties should have a relatively low volatility in obtaining popular voters. They also should receive the high trust of people and sufficient political and administrative resources (Bizzarro, Hicken, and Self 2017).

Therefore, the institutionalization of political parties determines the differences in the political party system in each country (Mainwaring 2015). It also determines how political parties form and how they play their role in politics (Mainwaring 2016). Under this view, the development of democracy in different countries is often based on a fundamental mindset that political parties and political party systems can be designed through institutional design or constitutional or statutory laws or regulations (Negretto 2009; D'Anieri 2015).

### GUIDELINES FOR CREATING INSTITUTIONALIZATION FOR OVERSEAS POLITICAL PARTIES

The lessons learned reflected through the development of political parties in different countries presented in the previous section of this article and other progressive democratic countries show that the use of constitutional provisions and related laws as tools for the institutionalization of political parties is often carried out using at least two approaches. First, there would be provisions under the constitution and relevant laws stipulating what an institutionalized political party is, what kind of organizational structure is to be established, and what political roles and duties the party has.



Second, there would be provisions under the constitution and relevant laws creating a political environment conducive to the desirable role of political parties.

An example of provisions in the constitution and party law aimed at institutionalizing political parties according to the first approach is the provisions of the German Constitution, which seeks to make political parties political organizations in which people can participate freely in forming their political will (Corduener 2018). Many provisions under the German Constitution also attempt to make political parties have a democratic internal organization, have an open and verifiable financial control system, and have no approach aimed at destroying or overthrowing democracy or threatening the existence of the Federal Republic of Germany (Rosa 2017). In some countries, such as Sweden, there is the idea of encouraging political parties to play a significant role in the parliamentary process. Therefore, provisions in the law relating to establishing political parties have been issued to ensure that parties have broad connections with the people. The Swedish electoral law, for example, requires that the application for registration to form a political party must be made by submitting a written application to the Central Election Authority, with a document stating the name of the party and proof of approval with the support of at least 1,500 eligible voters (Piccio 2012). In addition, in many countries, there are laws specifying the source of income and expenditure checks of a particular political party or such matters have to be categorized into specific sections in political party law or electoral law in order to strengthen parties' independence from domination, direction, or interference from any social force (Gunlicks 2019; Norris and Abel van Es 2016). This is an essential element that would enable political parties to develop into political institutions that are trusted and politically legitimate.

As for the approach based on the provisions of the constitution and relevant laws to create a political environment conducive to the desirable role of political parties, it can be said that according to the general definitions used by political scientists to define political parties, a political party is a voluntary grouping of people to carry out ongoing political activities. This group of people shares political ideas or ideologies or economic, political, or social benefits consistently. The integration of political parties under this common principle aims to play a political role in the system by influencing or having a role in shaping public policy in the form of government or enacting legislation through the powers of parliament (Russell and Cowley 2016; Schattschneider, Eric, and Pearson 2017). The constitutions and political party laws of most liberal democracies, therefore, often contain provisions that promote political parties to be political institutions that are intermediaries in connecting people, social and interest groups, and party members to political institutions such as governments, parliaments, etc. In order to promote such a role of political parties, provisions in the constitutions and political party laws of liberal democracies focus on factors and conditions that vary depending on the context of the democratic development in each country. In New Zealand, for example, a country with high pluralism, electoral laws specify the design of a district-to-proportion electoral system to encourage political parties to play a meaningful role in representing the interests of the people who support them (Gauja 2012).

Further, Indonesia has experienced the weakness of political parties under a political system that restricts the establishment and operation of political parties (Reuter 2015). The political parties and electoral laws have been reformed to be more open and to promote the role of the representation of the political parties' interests in both physical areas and in terms of ideological (religious) beliefs (Ulum 2020).

Additionally, South Korea requires political parties to nominate at least 50 percent of female candidates in the party-list system and 30 percent in single-member districts at the national election (Yoon and Shin 2015, 188). As an incentive, the South Korean Political Fund Act also allows political parties that successfully implemented female quotas in single-member districts to access political funds from the state budget. In particular, financial subsidies are granted to qualifying parties to subsidize the campaign of female candidates (Shin and Kwon 2022).

A political party can gain popularity and widespread public support if it recruits qualified individuals to join as members rather than focusing on quantity. The constitutions and political party laws of many liberal democracies contain provisions aimed at giving political parties the ability to play a role in member recruitment and a system for selecting party representatives to run in elections and to hold quality political positions (Hazan and Gideon 2006, 2010; Hazan 2014). The design of the rules allowing political parties to play such roles effectively also contributes to the promotion of political parties as political organizations that play an important role in building political leaders through the mechanism of political leadership development (Dickinson 2018). This can be seen in the examples of advanced democracies with quality political leaders (such as the United States, the United Kingdom, New Zealand, Japan, etc.), even though those leaders in the past may have been actors, businessmen, religious, military, academics, and other professions before, but have been able to become outstanding political leaders by forging the political leadership of a political party (Baturu 2016; Ludwig 2002; O'Brien 2015).

In addition to their role in forming political leaders, political parties in many countries are also designed and supported to play an essential role in political education based on their party's philosophy, beliefs, ideology, ideals, principles, and methods. This role is crucial in ensuring the confidence of the voters and ultimately in choosing the said political party to run the country (Hofmeister 2011; Gökçe, Apari, and Gündüz 2015). Such roles can also be extended abroad. For example, the institutionalization of political parties by promoting political parties to play a role in educating the people is most prominent in the case of the German political parties that promote the work of foundations that are of great importance and that are closely linked to political parties and funded by state funds to strengthen democracy in developing countries (Carothers 2015).

### LESSONS LEARNED ON THE INSTITUTIONALIZATION OF POLITICAL PARTIES IN THAILAND

Thailand has been committed to institutionalizing political parties by establishing key principles for political party design in the constitution and enacting specific political party legislation (Huang and Thananithichot 2018; Ziegenhain 2015). However, one key problem has hindered the success of this commitment when compared to other sustainable democratic countries. The issue stems from an emphasis on an approach that relies on constitutional provisions and related laws to define political parties' characteristics, organizational structure, and roles. Meanwhile, there is little emphasis on an approach based on using the constitution and relevant laws to create a political environment conducive to desirable roles for political parties. An example of this problem is the Organic Act on Political Parties, BE 2560 (2017), which strictly regulates the establishment of political parties, including the qualifications of individuals to come together to form a political party, structural elements, party management, and the content scope that is required in the formulation of party

regulations. This Organic Act also stipulates the composition and responsibilities of the political party's executive committee. The political activities under the principles of democratic governance with the King as Head of State are to be carried out by any political party each year, including what needs to be done within a specified period for a political party to maintain a continual legal status that prioritizes the number of members and party branches.

Clear rigor in determining the establishment and activities of political parties reflects that the current Political Parties Act provides guidelines for institutionalizing political parties. These guidelines aim to institutionalize Thai political parties in an internal or organizational dimension rather than an external or systemic one. This has helped many Thai political parties successfully form a party and carry out various party activities as required by law. However, they sometimes have failed to achieve the most important goal of forming a political party: to win an election until it gains an opportunity to form a government and implement the party's policies as national policy based on the party's ideology. On the other hand, the official data on Thai political parties also indicate that the political party that succeeded in the 2019 election was an institutionalized political party in its internal dimension or institutionalization that met the minimum criteria designed by the Organic Act on Political Parties, BE 2560 (2017).

The Palang Pracharat Party, whose members have been elected as members of the House of Representatives up to 116 seats and who have received more than 8,000,000 votes from the people of the country, is a party with four political party branches, equal to the minimum criteria prescribed by the Organic Act cited above, stipulating that political parties must take action within one year from the date of registration by the registrar. Moreover, this party does not have a single provincial political party representative. It has approximately 20,000 members, which is higher than the minimum required by the Organic Act on Political Parties BE 2560 (2017), which stipulates that political parties must have at least 5,000 members within one year from the date of their registration by the registrar and must increase the number of members to not fewer than 15,000 members within four years from the date of registration of the registrar. In contrast, political parties that have more members than the Palang Pracharat Party, such as the Thai Nation Power Party, and the parties with fewer members but more political party branches and representatives of the provincial parties than the Palang Pracharath Party, such as the Thai People Justice Party and the People Reform Party, have only one member elected as a member of the House of Representatives and received less than 75,000 votes from the people of the country (Table 2).

**Table 2: Number of Party Members and Number of Party Branches Compared with Votes and Number of MPs that New Political Parties Established Under the Organic Act on Political Parties, BE 2560 (2017) Received in the 2019 General Election (Source: Election Commission of Thailand 2019)**

Party	Members*	Branches*	Representatives*	Votes**	Number of MPs**
<i>Palang Pracharath Party</i>	21,277	4	0	8,441,274	116
<i>Future Forward Party</i>	43,579	5	20	6,330,617	81
<i>New Economy Party</i>	3,652	0	0	486,273	6
<i>Prachachat Party</i>	11,973	5	0	481,490	7
<i>Action Coalition Party</i>	16,160	11	30	415,585	5
<i>Thai People Power Party</i>	5,978	0	0	80,186	1

Party	Members*	Branches*	Representatives*	Votes**	Number of MPs**
<i>Thai Nation Power Party</i>	24,385	0	0	73,421	1
<i>Pracha Piwat Party</i>	14,266	0	0	69,431	1
<i>Phalang Thai Rak Thai Party</i>	9,069	0	0	60,434	1
<i>Thai Civilized Party</i>	3,597	0	0	60,354	1
<i>Prachaniyom Party</i>	17,927	1	0	56,264	1
<i>Thai People's Justice Party</i>	17,829	8	24	48,037	1
<i>People Reform Party</i>	10,621	4	41	45,420	1
<i>Bhollamuangthai Party</i>	4,319	0	0	44,961	1
<i>New Palangdharma Party</i>	9,009	4	0	35,099	1

In addition to mainly focusing on building up the institutionalization of political parties in their internal dimension or organizational institutionalization, the provisions of the Organic Act cited above address the termination of political party status and the dissolution of political parties. The reasons for the termination of political parties encompass a wide range. These include minor administrative matters, such as the failure to amend regulations within the specified period or the failure to carry out activities stipulated in the law—such as the absence of political party meetings or no political activities for a consecutive period of one year without any legal grounds. Termination may also occur for serious acts, such as attempting to overthrow the democratic regime with the king as the head of state or obtaining power to rule the country through means that do not follow the methods provided in the constitution. These provisions have been in effect since the Organic Act on Political Parties, BE 2560 (2017). It appears that political parties have not been able to operate according to the conditions prescribed by law, resulting in the cessation of 49 political parties. The constitutional court has ordered the dissolution of three political parties: the Thai Raksa Chart Party, Future Forward Party, and Tairaktham Party (as of January 22, 2023). The provisions relating to the cessation of political party status and the dissolution of such political parties do not help to create the institutionalization of political parties in the external or systemic dimensions. These provisions may also result in political parties not being recognized by other political actors as legitimate, making them viewed as unnecessary for democracy.

## CONCLUSION

Why are the political parties in non-progressive democratic countries not politically institutionalized? This can be because the idea of creating institutionalization for political parties is outdated or because the ways of strengthening the institutionalization of political parties in many countries “miss the point”. The answers gained from both the theoretical review, and exposure to the experience of different countries within this article demonstrate that the concept of the institutionalization of political parties is also of great importance for understanding political parties and for seeking ways to develop them as one of the key actors of democratic governance. The failure to apply the notion of institutionalization to political parties in some countries stems from the traditionally narrow-minded approach to considering the institutionalization of political parties rather than problems with the idea itself. As this article shows, the conceptual framework for the institutionalization of political parties is a combination of views on the institutionalization of political

parties from within or organizational institutions and views on the institutionalization of political parties from the external end or systemic institution. The conceptual framework is then applied to consider the institutionalization of political parties in various democratic countries, including Thailand. This concludes that building an institution for a political party is something that can be designed by giving importance to the development of political parties in a structured manner, along with promoting political parties to have the ability to play a solid political role under the democratic regime.

These conclusions lead to recommendations for improving the provisions of the Constitution and the Organic Act on Political Parties, BE 2560 (2017) of Thailand. The first recommendation is to lay out guidelines for political parties to have a flexible administrative structure, allowing each party to play an ideological political role without domination, direction, or interference from any social force. One important approach that should be set in parallel is the stipulation of the provision that encourages political parties to establish branches or sub-units at the local level. Well-functioning political party branches or any sub-units at the local level will provide an important mechanism for the party in linking the interests of party members, social and interest groups, and the public to enter the process of the leading institutions that use political power effectively, such as the government and the parliament. In addition, in order to promote the independence of political parties, there should be provisions to regulate their financial system, which would focus not only on determining sources of income and examining expenditures but also requiring that the money for all political spending be in the income-expense account of the political party.

Further, there must be a way to ensure consistency between the party's income and the expenses that the party pays out. In parallel with the design of the financial control system, it is essential to adjust the rules governing the allocation of funds for the development of political parties. This adjustment should align with the guidelines for institutionalizing political parties, addressing both internal and organizational dimensions and external and systemic dimensions. Instead of allocating a large proportion based solely on party fees (number of members) and votes received in elections, as is currently the case, a more comprehensive approach is recommended. It is also worth considering how to provide subsidies to opposition parties, as was the case with the United Kingdom, as a way to encourage opposition political parties to carry out various activities so that their powers and duties are effectively equal to those of the members of the government political parties. Finally, the provisions relating to the cessation of political party status and the dissolution of such political parties mentioned in the Organic Act should be revised, and only actions that have a serious impact on democracy and actions where all party members must share responsibility should be maintained.

## CRediT AUTHOR STATEMENT

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**Stithorn Thananithichot:** Methodology, investigation, writing - original draft, visualization.

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# GREECE AND TRIPARTITE PARTNERSHIPS IN THE EASTERN MEDITERRANEAN: A RECOMMENDED POLICY FOR GREEK STRATEGIC INTERESTS

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**Abstract:** *The Eastern Mediterranean is an area of strategic importance not only in the peripheral but worldwide. In recent years, the field of the Eastern Mediterranean has entered a new dynamic since there are trends of Tripartite Partnerships between neighboring states. These partnerships are political, cultural, economic, energy (due to the hydrocarbon surveys), immigration, and especially at the level of dealing with common security threats. By conducting tripartite partnerships, Greece achieved balance while playing a major role in the region. The study examined this Greek initiative in the sectors above under the vacuum left by the great powers (Russia and the USA). Greek foreign policy, through Tripartite Partnerships, defended its strategic interests and shaped the region's good relationships. The analysis of this policy employed the theory of neoclassical realism in order to present the international and internal (state) system and their impact on the Greek initiative of tripartite cooperation with the states of the Eastern Mediterranean. According to said method, a recommended policy for Greek strategic interests was designed, which may be utilized by other regional states.*

**Keywords:** *International Relations; Law; Tripartite Partnership; Greece; Foreign Policy*

## INTRODUCTION

The study focuses on the examination of Greek foreign policy, as it appears under the existing multilateral partnerships (a) Greece, Cyprus, Israel, (b) Greece, Cyprus, Egypt, (c) Greece, Cyprus, Jordan, as well as partnerships between Greece and Cyprus with Lebanon and the Palestinian Authority respectively. The USA and other great powers may take part in these partnerships. Under the factor of the more specific geostrategic and socio-political changes in the Eastern Mediterranean, a fluid and dynamic field can be seen in which, in addition to peace and security, the economic and energy interests of the states are at stake. Greece defends these interests through tripartite partnerships and shapes the region's developments. This perspective, promoted through Greek foreign policy, is particularly active today and aims to promote the value of the Eastern Mediterranean under the prevalence of a regime of peaceful resolution of disputes between states.

The analysis of the Greek foreign policy under the tripartite cooperation in the Eastern Mediterranean employs the theory of neoclassical realism (Lobell et al. 2009) in order to investigate, on the one hand, the influence of the international and internal (state) system and the other hand the interaction of these two components in the Greek initiative of tripartite cooperation with the states of the Eastern Mediterranean (Baylis et al. 2023). The applied theoretical method is expected to demonstrate that the regional strategic stakes, particularly security, are based on international

systemic and internal (at the national level) effects. So, the international system will be checked first and then the internal one, while finally, their results will be combined (Sorensen et al. 2021). Modern developments in the Eastern Mediterranean have made Greece a major player in the region through the initiative of concluding tripartite partnerships. The size of these partnerships is to balance Turkey's expansionist policy, so Greece should closely monitor this field.

## ANALYSIS

The present study analyzes Greek foreign policy in the form of tripartite partnerships with the neighboring states of the Eastern Mediterranean and the strategic stakes. The field of the Eastern Mediterranean should, as it is argued, favor the peaceful (diplomatic) resolution of disputes between the neighboring states, especially Greece. This trend includes tripartite collaborations between Greece, Cyprus, and neighboring states to strengthen ties, at least in security and economics. This initiative has to deal with several unstable geopolitical factors, such as the war in Syria, the issue between Israel and the Palestinian Authority, the Cyprus issue, the confrontation between Turkey and Egypt, and the growing influence of Russia in the region. In this context, the Greek foreign policy, with the cooperation of the states as a vehicle, highlights the regional dynamics so that the states can overcome the confrontations and balance their interests peacefully.

Furthermore, it intends to clarify the factors that shaped Greek foreign policy to strengthen the geostrategic dynamics of the Eastern Mediterranean through the progress of the tripartite partnerships so far. It is being investigated whether Greece's policy in the region raised the interest of the neighboring states in cooperation. Also, the effectiveness of tripartite partnerships is examined, which allowed a clear assessment of the unfolding situation with the subsequent success of the specific project and the serving of Greek interests. It is assumed that (a) the structural object of the international systemic situation will not change, (b) the field of the Eastern Mediterranean remains fluid and somewhat unstable (c) the energy issue in the region still raises confrontations between states (d) tripartite partnerships and the internal politics of the participating states will not change (e) the area of the Eastern Mediterranean is considered to be of high geostrategic value and (f) the Cyprus and Palestinian issues will not be resolved. It is pointed out that the evaluation of the Greek foreign policy and the strategic stakes in the region will be demonstrated through the application of the method of neoclassical realism (Baylis et al. 2023; Lobell et al. 2009). With this method, Greek foreign policy will be explained as a result of the complex relations between the states of the Eastern Mediterranean and the influences of internal politics. The analysis below highlights those mentioned above.

It is a fact that the interests of international and regional actors depend on the scope of the Eastern Mediterranean. These interests are influenced by controversies fueled by claims against sovereign rights and energy, immigration, terrorism, and environmental issues. The stake of the aforementioned interests depends on the specific period where the confrontations are activated. The Syrian and Libyan civil wars, the tense situation in Egypt, the Cyprus issue, the Palestinian issue, the threat of Turkey, and the energy issue in the region intensify the tendency for conflict. Therefore, the situation in the Eastern Mediterranean is considered variable. This is where Greek foreign policy bridges the gap through tripartite partnerships to resolve disputes peacefully. With this initiative, Greece is portrayed as an upgraded regional actor in the Eastern Mediterranean region and a serious

partner of the EU and NATO. Under these conditions, the prospect of promoting Greek interests and ensuring regional security is visible.

## APPLICATION OF THE NEOCLASSICAL REALISM METHOD

In order to analyze the Greek foreign policy during tripartite partnerships in the Eastern Mediterranean and to clarify the strategic stakes, the method of neoclassical realism is introduced. According to the specific method, which is a combination of the analysis of the international and the internal state system, the distribution of power between the states in an anarchic, structurally international system is examined, and secondly, the factors that influence the state system so that ultimately and in combination it is produced the foreign policy. At the international level, the power distribution of states is classified based on economic, military, and geopolitical power (Kiczma and Sulek 2020). At the internal state level, the surrogate factors influencing foreign policy are distributed among the policies activated by the Greek side to conclude tripartite partnerships (Lobell et al. 2009). For this reason, the specific collaborations are analyzed in order to record the benefits that Greece seeks. So, at the international level, there are the independent actors, while at the state internal level, there are the surrogates (dependents) who interact to shape foreign policy.

### International Field

Next, the factors of the international distribution of power between the states are reflected (Waltz 2010). At least, for the last fifteen years, it has been observed in the Eastern Mediterranean region that USA dominance is on the decline. The region's states tend to exploit this situation to promote their interests (Tsaltas et al. 2013). The war and the preservation of the ruling faction in Syria showed that Russia is playing an important role in the field of the Eastern Mediterranean, especially in seeking alliances with the Israeli and Egyptian sides (Wolff 2022). This tactic affects US interests and creates conditions of instability and liquidity. In this context, (i) the sides of Greece, Cyprus, Israel, Egypt, and Turkey operate between these two great powers, looking for benefits, (ii) Turkey finds free space to promote its interests dynamically, and (iii) common interests are presented between the states which are covered under the institution of multilateral cooperation. The table below shows the national power distribution of the states (Kiczma and Sulek 2020). They were chosen, *inter alia*, the nine states that operate in the Eastern Mediterranean. Also, they are shown and ranked according to the number they have received in the relevant study in economic, military, and geopolitical power. Turkey is the most powerful state in terms of economic and geopolitical power in the Eastern Mediterranean, while in military terms, it is one number behind Israel. The rest of the states follow, with Cyprus last in power.

Within the last fifteen years, a new environment has been formed in the Eastern Mediterranean due to natural gas and oil deposits. In this transitional stage, Greece has reassessed its position to assume an important geopolitical role by entering into tripartite partnerships with states that share common perspectives. The power imbalance in the region is typical for Greece, given that it is subject to uncertainty and security threats from Turkey. However, in recent years, Turkey has been in confrontation with Egypt, Israel, and Cyprus (Ertan 2022). These states accepted the Greek alliance in order to face Turkey. In this regard, the fertile hydrocarbon deposits in the Eastern Mediterranean



distributed in the sea zones of Greece, Cyprus, Israel, and Egypt shaped the environment of tripartite partnerships. At the same time, Turkey pursued a threatening policy (Markind 2022). So, Turkey's state revisionism is evident; as a strong economic force in the region, it can carry out its eventual threats. Consequently, the initial tripartite partnerships in the energy sector evolved into joint actions and counterweights against Turkish threats. Greek foreign policy realized the situation in the Eastern Mediterranean in time and promoted tripartite partnerships to reshape the region's balance.

**Table 1: Distribution of National Power in the Eastern Mediterranean for 2020 (Source: Kiczma and Sulek 2020)**

No.	State	Economic Power No.	Military Power No.	Geopolitical Power No.
1.	USA	2	1	1
2.	Russia	7	4	4
3.	Turkey	17	23	20
4.	Israel	48	22	26
5.	Egypt	29	30	31
6.	Greece	56	34	43
7.	Jordan	95	61	66
8.	Libanon	98	65	70
9.	Cyprus	130	105	108

## Domestic Field

Greek foreign policy is linked to EU policy. In the last fifteen years, Greece has been trying to approach neighboring states by concluding tripartite partnerships with the states of the Eastern Mediterranean (Grekos 2023). The Greek rulers of recent years are still in favor of maintaining these non-binding agreements to strengthen Greece's role in the region. The tension in Turkey's relations with the Israeli, Egyptian, and Cypriot sides pushed Greece to consolidate the tripartite partnerships project and become an essential interlocutor at the international and regional level. This policy is consistent with the EU's counterpart in the field of defense and security (European Security Strategy 2009) and with the US's interest in participating in tripartite partnerships focused on hydrocarbon deposits in the eastern Mediterranean. Greek foreign policy desires stability and the collective exploitation of the eastern Mediterranean under a peaceful dialogue to ensure security in the region from Turkey's machinations (Yegin 2022). With this reasoning, combined with the involvement of the USA, Russia, and the EU, Greece reached out to the states of the region to have more allies to counter the Turkish threats. The hydrocarbon deposits in the Eastern Mediterranean are now being added to the long process to resolve the Greek-Turkish issues. In these matters, the great powers, NATO and the EU, tend to take an objective stance. Thus, Greek foreign policy turned towards the conclusion of tripartite partnerships to serve its interests better, as presented below.

## MULTILATERAL COOPERATION IN THE EASTERN MEDITERRANEAN

The multilateral cooperation of the states seems to take place when there is an unstable and fluid climate in the field of interest which cannot be regulated by competent international actors such as the UN. In this case, multilateral cooperation balances the situation when strategic issues such as security, economy, and energy are at stake in a specific geographical area. Multilateral cooperation of

this type has a quick effect on resolving a regional issue before the UN or NATO. The main factor of these collaborations is the common interest with the ultimate goal of resolving any disputes.

Through multilateral cooperation, the national power of the states is intensified. However, on the strategic stakes, the convergence of opinions is a complex undertaking that requires the consent of the states or diplomatic mergers-alliances with the mighty powers USA and Russia. During diplomatic alliances with the great powers, the smaller states enjoy protection and participation in the acquisitions of the powerful. Regarding the defense of the security sector, the field of cooperation there is loose because the states do not quickly wish to assume binding roles on either side. However, at the regional level, multilateral security or defense cooperation becomes paramount in areas such as the Eastern Mediterranean when strategic stakes exist. Cultivating a climate of trust and a common culture and dealing with threats is considered a *sine qua non* within multilateral cooperation (Snyder 2007).

Accordingly, the fewer members that make up the multilateral cooperation, the better for its sustainable operation and effectiveness. In the field of the Eastern Mediterranean, there are usually tripartite partnerships with the presence of Greece and the participation of a fourth party, such as the USA. These are partnerships of small states in territory, population, economic, and military power which, under this scheme, wish not only to face common threats or resolve current issues of common interest but also to create a strong regional actor that will exert influence in the international system. The participation of the great power in the tripartite partnerships signals the promotion of the interests of the small states at the international level and probably the alignment with the politics of this power. For many years, Greece has been under the *casus belli* of Turkey, creating tripartite partnerships with the other states of the Eastern Mediterranean with the same problem balances. In a way, the situation, especially in the modern era of energy research on the Greek and Cypriot exclusive economic zone.

Furthermore, the EU promotes multilateral cooperation in defense, security, economy, energy, human rights-immigration, environment, and regional policy. The EU Security Strategy calls for creating security structures at the regional level to directly and collectively address specific strategic stakes through the theoretical security model of the regional cluster (European Security Strategy 2009). This perspective removes the resolution of disputes at the bilateral level and shields cooperation and convergences within the multilateral scheme. It also reduces the time required to resolve disputes in an international body and highlights the treatment of the situation by a regional and more flexible scheme. The structure of the Eastern Mediterranean complex is at an anarchic level because the states of the region have autonomy, a specific foreign policy, and a security doctrine. As described below, Greece developed an active foreign policy to create tripartite partnerships.

### Greece-Cyprus-Israel

The tripartite partnership of the three states is based on political, military, and economic cooperation (Mizrahi 2020). Greek foreign policy approached the other two states to find common interests and face common threats in the Eastern Mediterranean area. This tripartite partnership is welcomed politically by the USA and is symbolized by 3+1. Through this scheme, the balance of power in the Eastern Mediterranean changes, and thus, the interests and possible threats are balanced. Multilateral cooperation is carried out with tripartite conferences at a high level. Under



these conferences, the foundations were laid for cooperation in a joint action plan on maritime security (countering military threats, search and rescue) and military training. The evolution of these initiatives was the joint naval exercises called ARGONAUT (MOD 2022) - INIOCHOS (HAF 2023) - NOBLE DINA (Coats 2019), where the states practice in the fields of search and rescue, countering threats, and migration. Greece is leading in the Eastern Mediterranean through this tripartite exemplary agreement (US Department of State 2022).

### **Greece-Cyprus-Egypt**

This tripartite partnership stems from common political, military, and energy visions. Recently (2021), during the joint Declaration at a high level, the three states consolidated the continuation of their work to strengthen security and peaceful resolution of disputes in the eastern Mediterranean. It should be noted that Egypt is a strong military power that can stand to help in any threats against Greece. In this context, the USA also participates at a civil-military level, characterizing the cooperation as 3+1. More specifically, the tripartite partnership deals with issues of defense, security, terrorism, energy, and maritime zones while opposing Turkey's provocative actions. In connection with their joint Statement, the tripartite partnership declared illegal the memorandum of understanding between Turkey and Libya and the one on military cooperation of November 2019 (SIS 2021). Military cooperation exercises, such as the annual established exercise MEDUSA (Financial Mirror 2022), are conducted between the three. On a political level, the tripartite supports the fair resolution of the Cyprus issue, adopts cooperation in the distribution of the hydrocarbon deposits of the Eastern Mediterranean, is in favor only of the political resolution of the crisis in Syria and the negotiations between Israel and the Palestinian Authority (CAP 2022). Greek foreign policy within the tripartite group acquired a vital role in the field of the Eastern Mediterranean.

### **Greece-Cyprus-Lebanon**

This tripartite partnership moves towards the common interest of the regional development and stability of the Eastern Mediterranean area. Its main objectives are the consolidation of security, peaceful resolution of regional disputes, and cooperation on educational, economic, and energy issues (Andreou 2021). Following the establishment of the maritime border between Israel and Lebanon, on 28.10.2022, an initial agreement was reached between Cyprus and Lebanon to delimit the exclusive economic zone of the two states (Mitchell, 2022). The tripartite is cultivating a suitable climate so that similar demarcations can be agreed with Syria. Greek foreign policy considers the common approach to defense and security issues with Lebanon necessary. Indeed, since the tripartite meeting took place on 11.05.2016, collaborations have followed in terrorism, migration, maritime transport, and energy. A particular area of cooperation is Greek assistance in upgrading the Lebanese military forces (Yiallourides et al. 2022). Also, Greece participates in the military peacekeeping force for the security and stability of Lebanon (UNIFIL 2023). In this tripartite partnership, Greece again plays a key role, promoting Greek interests and strengthening its role in the eastern Mediterranean.

## Greece-Cyprus-Jordan

The tripartite partnership of the states in question has a common orientation towards creating stable conditions of security, stability, and prosperity in the eastern Mediterranean (PM 2021). During the third tripartite meeting on 28.07.2021, it was agreed to set up a committee that will settle cooperation issues, including military exercises and joint armed forces training. Military cooperation lies in the provision of logistical support and training. In this regard, special operations and joint training programs are organized by Greece. Also, in a joint statement, the improvement of cooperation on finance, trade, energy, and education was underlined, as well as Jordan's assistance in dealing with the Cyprus issue. The more than twenty years of cooperation with Jordan highlight the common goals in the region. Strengthening cooperation with Jordan consolidates Greece's regional role as its allies increase.

## Greece-Cyprus-Palestinian Authority

Relations between the three states have always been cordial, given their support for creating an independent Palestinian state in peaceful coexistence with Israel. During the tripartite meetings, emphasis is placed on cooperation in the fields of defense, security, economy, trade, energy, and education (MFA 2023). The good relations with the Israeli side give Greece room to mediate for the peaceful resolution of the disputes with the Palestinian Authority. Although the Cyprus issue is similar to the Palestinian one, it differs (Shaath 2016). Despite this, the states are intensifying their joint actions to resolve the specific issues peacefully. Greece and Cyprus are helping the Palestinian Authority to participate in EU funding programs (Europa 2022). Military cooperation with the Palestinian Authority is impossible since its forces are acting anarchically, and this move would affect the tripartite relationship with Israel. Greek foreign policy should be strengthened through alliances within the Eastern Mediterranean, and the stabilization of the region also necessitates the involvement and contribution of the Palestinian Authority.

## GREECE AND STRATEGIC STAKES UNDER TRIPARTITE PARTNERSHIPS

Greek foreign policy in the Eastern Mediterranean faces a fluid and unstable field. The strategic stakes are defense, security, immigration, terrorism, energy, the determination of maritime zones, and exclusive economic zones. Also, in the area of the Eastern Mediterranean, the presence of Russia is intensifying, and that of the USA is weakening. In particular, defense and security issues come first on the Greek diplomatic agenda. The level of military cooperation with the Israeli and Egyptian sides strengthened Greek foreign policy, and the addition of Cyprus increased the momentum. The exchange of military know-how with Israel and Egypt as states with recent war experience shield the Greek defense while Israel and Egypt gain allies at the EU level. Also, Egypt, through its position in Arab affairs, can counter Turkey. The delimitation of the exclusive economic zone between Greece and Egypt is also essential, contributing to the joint energy exploitation of the sea plots south of Crete (Greek Law No. 4717/2020 in Government Gazette A 164). Jordan, Lebanon, and the Palestinian Authority complete the alliance regime that Greek foreign policy has introduced to acquire a

regulatory role in the region. Turkey reduces the issue between Israel and the Palestinian Authority as equal to the Cyprus issue in order to recognize the Cyprus pseudo-state (Fathom 2016).

Consequently, Greek foreign policy should maintain the same distance from Israel and the Palestinian Authority. However, Greece's role in the Eastern Mediterranean environment is played out in front of the interests of the USA, Russia, the EU, and other actors. The specific tripartite partnerships do not oppose the ventures of the great powers but promote common regional concerns that can be more easily resolved on stage. This mild action of the Greek foreign policy balances the Turkish threat through tripartite partnerships.

### COMBINATION OF INTERNATIONAL AND DOMESTIC FIELD

From the analysis above, the dynamism of Greek foreign policy in response to Turkey's threats becomes evident, as it aims to balance forces in the Eastern Mediterranean (Schweller 2008). Greek foreign policy adopts the strategy of soft balancing (Paul 2018) through international diplomatic channels to bend the Turkish threats peacefully. Before the last fifteen years, Greek foreign policy presented the differences with Turkey at the level of the UN, EU, and great powers (USA and Russia) without substantial results. However, the discovery of hydrocarbon deposits in the sea zones of the Eastern Mediterranean states gave the impetus for drawing up a more active policy in the region.

The retreat of the US dynamics combined with the rise of Russia's interest and the rupture of Turkey's relations with Israel and Egypt (Aljazeera 2023) allowed Greece to play an essential role in the region through multilateral agreements. The Greek governments of recent years have supported this active policy, resulting in the fact that today, Greece is considered a vital actor in the Eastern Mediterranean. The oil and gas field exploitation companies were also supportive of this policy. Without ignoring the protection of the marine environment, Greece is instrumentalizing the geopolitical and economic benefits of hydrocarbon exploration as a counterweight to the Turkish revisionist policy. However, it is said that this venture is not producing stability as, recently, companies like TOTAL and RERSOL have abandoned the explorations (WWF 2022).

### CONCLUSION

In conclusion, the goals pursued by the Greek foreign policy with the project of multilateral cooperation were the compensation of the Turkish threats and the establishment of a critical role in the field of the Eastern Mediterranean and internationally in order to produce a stable status in security and the development of the region. The strategic stakes mainly concern defense, security, economy, energy, immigration, and others such as the Cyprus and Palestinian issues. In recent years and after the discovery of hydrocarbon deposits in the region, energy and security have been at the top of the discussion. Through tripartite partnerships, Greek foreign policy promotes its interests while simultaneously maintaining the role of a worthy interlocutor of the great powers by sticking to the tactic of soft balancing. However, Greek foreign policy at the level of the Eastern Mediterranean is not institutionally permanently defined, and neither are its official long-term goals. So, each government acts as it pleases without high strategic planning. Indeed, the agenda introduced during the discussions within the tripartite partnerships is loose and non-binding.

Greek foreign policy keeps the Cyprus issue and the development of economic relations with the states of the Eastern Mediterranean in the foreground. Lately, he has been dealing with the delimitation of maritime zones due to the energy issue. The conclusion of a tripartite agreement with Israel and Egypt goes a long way in serving this situation and producing a counterweight to Turkey's claims. For this policy to bear fruit, it should be followed, without fluctuations, institutionally, long-term, and firmly so that Greece takes on the role of a strong regional power. Pursuing a defined and stable foreign policy within multilateral cooperation is an aid in this direction. While they are widely accepted, the non-binding role of tripartite partnerships can also bring negative results if mishandled.

Agreements with Israel and Egypt contribute to field security, followed by those with Lebanon and Jordan. On these, Greece's foreign policy should promote the common interests that arise to preserve the specific agreements. In the event of a dynamic conflict between two states in the eastern Mediterranean and despite tripartite agreements, military assistance from the partners of a multilateral agreement is questioned. It should be noted that a new approach to Israel from the Turkish side with favorable terms may be the end of multilateral agreements in the region. Great powers and international organizations such as NATO and the EU have historically been sure not to engage in a military confrontation between two states in the Eastern Mediterranean. Although costly, the strengthening of the Greek military forces seems to be necessary.

## Recommendations

The continuation of further collaborations within multilateral schemes with binding actions, particularly with Israel and Egypt, will be constructive for the Greek side. The joint presence of Greece, Cyprus, Israel, and Egypt at the political and military level will bring about the balancing of forces in the field of the Eastern Mediterranean. It will create the counterweight that Greece needs against the Turkish threats. In this direction, collaborations with Jordan, Lebanon, and the Palestinian Authority should be intensified. Taking advantage of the experience that the states of the Eastern Mediterranean have in real military operations will contribute the most to the modernization of the Greek forces.

If the specific multilateral agreements are strengthened, then it would be in the public good to discuss the issues of the Eastern Mediterranean with Turkey to avoid threats and reduce investments in defense costs. Although the powerful armed forces contribute to the success of peaceful negotiation, Greece, as a state still bearing the brunt of the economic crisis, must be as frugal as it is in purchasing defense and other armaments. In a Greek-Turkish debate, the Cyprus issue may be brought up again, as well as the common treatment of migration flows. Under these circumstances and with the perspective of sustainable peace in the region, the complex network of values that Greek foreign policy advocates in the Eastern Mediterranean should possibly be redefined.

## Epilogue

Within the last fifteen years, the research of international and internal factors has revealed that Greek foreign policy, through multilateral cooperation, seeks to highlight its interests, which are expressed through the strategic stakes in the field of the Eastern Mediterranean. The design of the specific policy should have a binding systemic institutional structure, which all governments must

follow. At the same time, it will be adapted to the European *acquis*, international standards, and the protection of Greek economic interests. While the strategic stakes for this policy are still focused on defense, security, terrorism, economy-energy, migration, and environment, Greece, through multilateral agreements, serves the satisfaction of its interests in these areas while at the same time facing Turkish challenges and revisionist tendencies.

The more dynamic presence of Russia in the region and the relative retreat of the USA created a security vacuum in the Eastern Mediterranean, which Greece spread and tried to cover with political interventions mainly under the auspices of the USA. This is how multilateral schemes were created with Cyprus's basic cooperation. The appearance of the USA in tripartite partnerships has the role of guardian of decisions and transfer of regional issues on an international scale. However, Turkey maintains its tactics of provocations by insisting on the claims of some of the oil and natural gas fields, which are located within the Greek and Cypriot maritime zones. Here, Greek foreign policy is limping because the partners within tripartite partnerships do not seem to want a confrontation with Turkey. The binding nature of the partnerships in question would be a strengthening factor of security in the region. In this regard, the definition of a Greek national strategy at the political, defense, economic, and commercial levels, which will be followed by all Greek governments with the help of diplomacy within the multilateral partnerships in the Eastern Mediterranean in combination with undertaking commitments on behalf of the partners is the stake.

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# THE EUROPEAN UNION AND CHINA TRADE PRESENCE IN SERBIA

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**Abstract:** *The European Union has been the dominant trade partner of Western Balkan countries for a long time; however, China's trade and economic influence in the region is growing yearly, and its engagement in the region has intensified after the launch of the Belt and Road Initiative. Serbia is the region's most important strategic trading partner for the EU and China. This paper addressed the trade presence of the EU and China in Serbia, examined the trade position of the EU and China in Serbia, the intensity of their mutual foreign trade (TII index), and the trade competitiveness of Serbia's export in selected traded commodities (RCA1 index). The trade position of the EU in Serbia was confirmed as clearly more substantial than that of China, and trade intensity was high. However, China's trade position grew despite its trade exchange intensity, which was well below potential. However, the low values of Serbia's competitiveness index are a severe obstacle to the increase of Serbian exports and some persistent obstacles in the framework of export procedures. The growing passive trade balance in relations with China remains also disturbing.*

**Keywords:** EU; China; Serbia; Trade Presence

## INTRODUCTION

Nowadays, the Western Balkans is an area where the interests of the European Union, Russia, the United States of America, and China meet. The EU's and China's approaches towards the Western Balkan countries differ. While the EU has signed preferential agreements on the stabilization and the association with the countries of the Western Balkans, cooperation between the countries of the Western Balkans and China is not based on preferential agreements; however, in 2023, negotiations for a free trade agreement between China and Serbia were launched (Mofcom.gov 2023). Unlike the EU strategy, China offers an alternative model of development and cooperation based on non-interference in the internal affairs of other countries.

Western Balkans, whose countries aspire to join the EU, go through a strict accession process and, at the same time, are part of Chinese economic and political activities. Chinese influence in the Western Balkans was addressed by Tonchev (2017), who stated that China "has always pursued a strategy of building political support among a large number of relatively small developing countries" (p. 2), which can also be applied to the Western Balkan region. China has been more active in the region since 2012 when the 16+1 initiative was founded, which promised significant investments.

Its involvement became more visible with the launch of the New Silk Road or Belt and Road Initiative (BRI). Besides that, as Ilik and Shapkoski (2021) argue, the future development of the Western Balkans is associated with the EU, especially due to the multi-level institutionalization of mutual relations.

Serbia, the largest Balkan country, has been considered as the territory with the greatest perspective for joining the EU within the region. However, due to political challenges, Serbia represents one of the most difficult cases in the EU enlargement process. According to Petrović (2019), the integration process of Serbia has been connected to several political challenges that have been an obstacle to the reforms and integration processes. Nevertheless, in his more recent paper, Petrović (2022) concludes that gradual integration would have been beneficial for the Western Balkans. Nikolić (2018) stresses that the most important part of the economic cooperation between Serbia and the EU countries is foreign trade; however, it notes that the EU share in Serbian trade in goods has not changed in years except for enlargement in 2004, 2007, and 2013.

China is primarily active in areas such as procurement, trade liberalization, and infrastructure. As the fourth largest recipient of Chinese investment in Europe, Serbia is an active member of China's BRI, as well as the only strategic partner of China in the Western Balkans (Markovic Khaze and Wang 2020). Zhemelinska and Hong Song (2021) focused on the limitations of China-Serbia relations and indicated four major challenges of their relations: EU membership, trade restrictions, cultural differences, and global politics. Jovičić, Stevanović, and Beraha (2020) examine Serbia-China trade relations and conclude that the mutual exchange of goods is undersized below potential. China is building its influence in Serbia through investment activities rather than via trade exchange. Serbia should focus on its comparative advantages and develop a clear strategy towards China, which would include Serbian exporters' support. Dimitrijević (2019) draws attention to China's export expansion and economic export-oriented strategy, the acquisition of energy and ore resources to sustain its economic growth and the significant logistical and financial support that its state-owned banks provide to companies based abroad. These are the main factors influencing the Chinese approach to their partners in the Western Balkans. Bjelić and Petrović (2022) state that after years of sanctions and trade isolation, Serbia is gradually establishing its production on international markets. However, its presence is below potential, mainly exporting products with a low added value. China has become one of the key economic players in the Western Balkan and wants to expand its presence in the region (Lišanin 2023).

According to Markovic Khaze and Wang (2020), China's engagement in the Western Balkans is based on pragmatism, increasing economic and investment relations; however, the most important economic partner for the region remains the EU.

## METHODOLOGY

The paper aims to evaluate, based on selected scientific methods, the trade position of the EU in Serbia in the context of China's trade presence. This contribution is a part of the authors' broader research on relations between the EU and the Western Balkan region, the impact of geopolitical and geo-economic changes, and the increasing position of China on the EU agenda in the region. To assess and compare the level and intensity of Serbia's trade cooperation with the EU and China and vice versa, we performed a quantitative analysis using the Trade Intensity Index (TII).

The purpose of TII is to determine whether the value of trade between two countries/regions is greater or smaller than it would be expected based on their importance in world trade. It is defined as the share of one country's exports going to a partner divided by the share of world exports going to the partner (World Bank 2010). It is calculated as:

(1)

$$T_{ij} = \frac{\left(\frac{x_{ij}}{X_{it}}\right)}{\left(\frac{x_{wj}}{X_{wt}}\right)}$$

Where:

$x_{ij}$  is the value of the country  $i$ 's exports to partner country  $j$ ,

$X_{it}$  is the value of total exports of the country  $i$ ,

$x_{wj}$  - the value of world exports to country  $j$ ,

and  $X_{wt}$  is the world export value.

The TII values range from 0 to  $+\infty$ . A value greater than 1 indicates a relationship more intense than the world average for the partner country (World Bank 2013). If the index is more than 1, it indicates a more intensive trade between the partner countries than expected, given their position in the world economy. If the TII is less than 1, the intensity of trade is at a lower level than would be expected.

For our analysis and the calculation of TII, we used foreign trade data from the International Trade Center (ITC), the Trade Map database. To evaluate Serbia's export potential, we used the revealed comparative advantage (RCA) index.

The RCA is calculated as follows:

(2)

$$RCA1 = \frac{\left(\frac{X_{ij}}{X_{it}}\right)}{\left(\frac{X_{wj}}{X_{wt}}\right)}$$

Where:

$X_{ij}$  - country  $i$ 's exports of product  $j$ ,

$X_{it}$  - total exports from country  $i$ ,

$X_{wj}$  - world exports of product  $j$ ,

$X_{wt}$  - total world exports.

Country  $i$  is said to have a revealed comparative advantage in product  $j$  when its ratio of exports of product  $j$  to the country's total exports of all goods exceeds the same ratio for product  $j$ 's share in world trade (UNCTADstat n. d.) If  $RCA1 > 1$ , then the country has a revealed comparative advantage in product  $j$ . If  $RCA1 < 1$ , then the country has a revealed comparative disadvantage in product  $j$  (Obadi and Korček 2016). It indicates that the country exports less than the reference group average in each product.

## RESULTS AND DISCUSSION

Serbia has had a preferential status since 2000, when the European Union, for the first time, introduced exceptional, unlimited duty-free access to the single European market for almost all products originating from the countries of the region.

The Interim Agreement on Trade and Trade Matters officially entered into force on 1 February 2010, and the Stabilization and Association Agreement (SAA) was formally applied on 1 September 2013. Full liberalization of mutual trade (except for the most sensitive products of Serbian agriculture) took place a year later in 2014, and two years after the SAA officially entered into force, the gradual opening of negotiation chapters began as part of the accession process (European Commission 2022).

The EU has traditionally been Serbia's key trade partner. The value of Serbian exports to the EU has almost tripled from nearly 5 billion EUR in 2011 to almost 14 billion EUR in 2021.

Figure 1 provides data on Serbia's exports and imports to the EU countries in 2011- 2021, which continuously grew until pandemic year 2020. In 2021, both export and import values increased significantly; exports reached almost 14 billion EUR, and imports were more than 16.3 billion EUR (ITC 2023a).

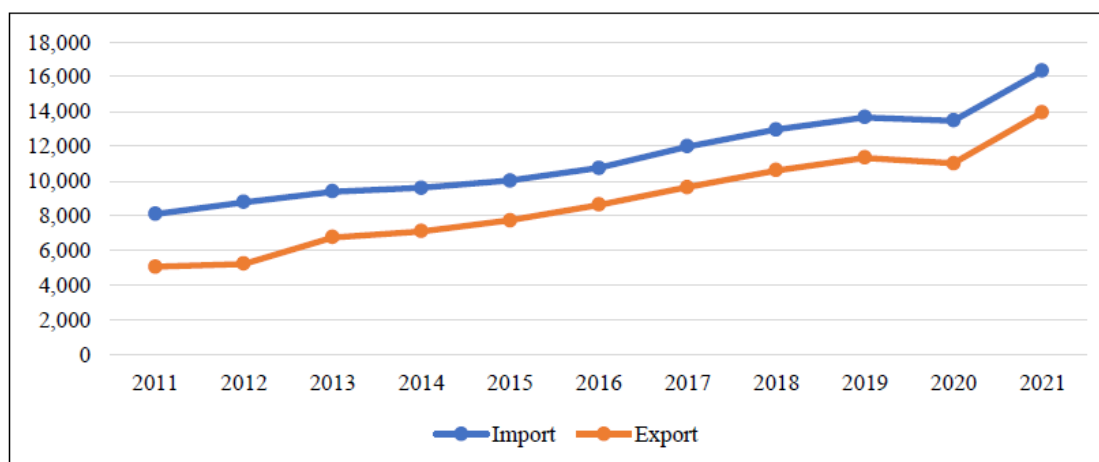


Figure 1: Serbia Trade with EU (2011-2021, in million EUR) (Source: own, based on ITC 2023a)

Although Serbia's export to the EU is significantly lower than its import, the year-on-year values increased more significantly in the case of export. At the top of the list of the largest trading partners are the EU Member States (60.3%, especially Germany, Italy, Hungary, and Romania), China (8.6%), Russia (4.7%), as well as other Western Balkan countries. In 2021, Serbia exported almost 13% of total exports to Germany and 8.5% to Italy. Most imports from the EU also came from Germany (13%) and Italy (8%) (ITC 2023a).

The EU is the major export destination for Serbian agricultural products since more than half of Serbian agricultural exports (55%) are intended for EU markets (ITA, 2022). Serbia's agricultural exports to the EU have grown over the last decade from 640 million EUR in 2009 to more than 2.3 billion EUR in 2021. Simultaneously, Serbian imports of agricultural products from the EU were steadily

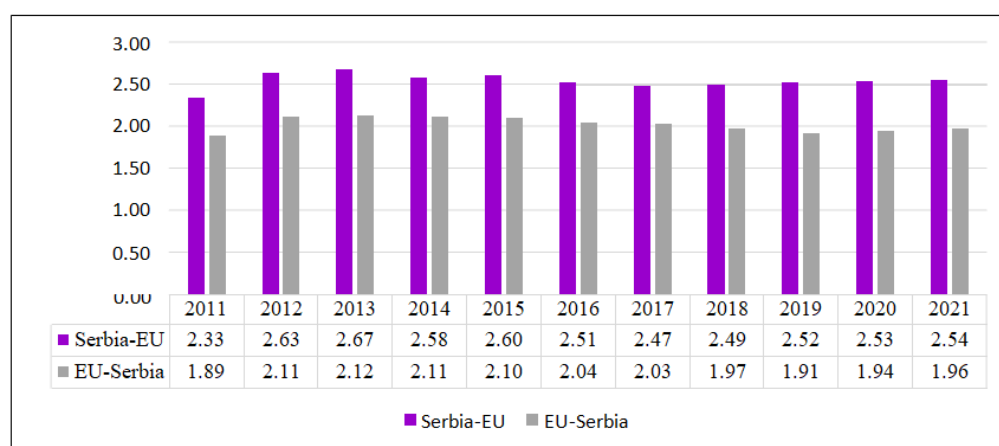
increasing and reached 1.6 billion EUR in 2021. Table 1 provides an overview of the relatively stable development of the EU's share of Serbia's exports and imports since 2015, even though the EU's share of Serbia's exports is decreasing (EU in Serbia 2023). In 2021, the EU accounted for 57.1% of total Serbia's exports, the lowest share within the period under review, and for 64.5% of Serbia's imports.

**Table 1: EU and China Trade Shares on Serbia's foreign trade (2012-2021, v %)**

(Source: own, based on ITC 2023a, b)

		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
EU	Export	59.7	60.8	61.9	61.2	61.9	61.2	59.3	57.6	58.8	57.1
	Import	60.1	61.6	63.6	64.2	64.4	64.3	65.5	64.9	64.9	64.5
China	Export	7.3	7.3	7.6	8.5	8.3	8.2	8.4	9.4	12.4	12.3
	Import	0.2	0.1	0.1	0.2	0.2	0.4	0.5	1.6	1.9	3.7

In 2021, the most exported product group to the EU was electrical machinery and equipment with a share of up to 20.1%, machinery and mechanical equipment (6.9%), iron and steel (5.3%) and cereals (4.6%) (ITC, 2023a). Serbia's imports from the EU had a similar structure and included commodities such as vehicles (6.9%), pharmaceutical products (5.9%), or mineral fuels and oils (4.4%). Unlike other industries, the pharmaceutical industry in Serbia has shown unprecedented growth in recent years. The coronavirus pandemic generated a high demand for medicines, basic hygiene and disinfectants, and other accessories; Serbia was able to withstand and maintain regular supplies, stable production, and export (Glavšić, Sladaković, and Đorđević 2022).



**Figure 2: Serbia - EU Trade Intensity (2011-2022)** (Source: own, based on ITC 2023a)

As for the intensity of trade between Serbia and the EU, it is higher than 1 (Figure 2), which confirms the high intensity of mutual trade exchange; however, we can observe a decrease in EU trade intensity with Serbia since 2018. On the contrary, the TII between Serbia and the EU has been growing slightly, which means that the EU remains Serbia's key trading partner.

Serbia-China cooperation, built on a "strategic partnership" established in 2009 and later upgraded to a "comprehensive strategic partnership" in 2016, has made China an important trade and

financial partner of Serbia. A proposed free trade agreement with China should facilitate mutual trade exchange (Ladjevac 2022). However, a huge deficit in trade between Serbia and China is growing year by year. Serbia's inability to satisfy the vast and demanding Chinese market and its small commercial reach hinder the development of mutually beneficial cooperation. The lack of capacity, manifested, for example, in the dominance of products with low added value in Serbia's total exports, is a key problem of their partnership (Zhemelinska and Hong Song 2021).

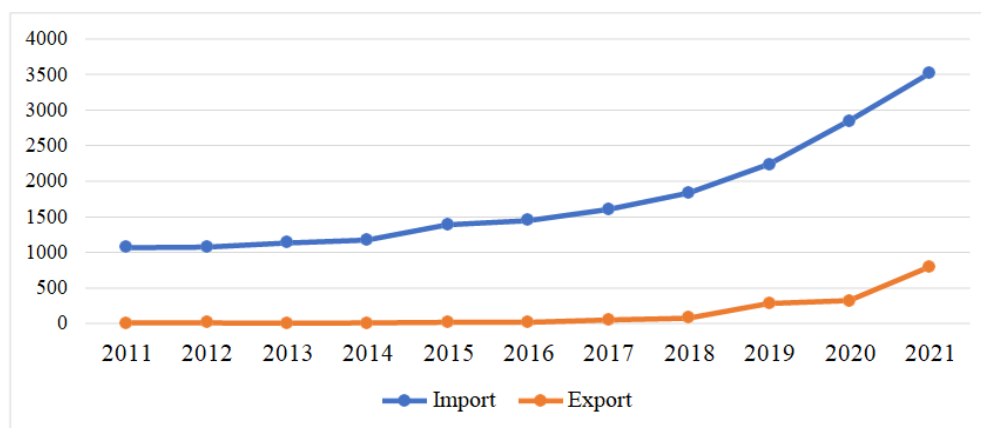


Figure 3: Serbia's Trade with China (2011-2021, in million EUR) (Source: own, based on ITC 2023b)

In 2021, the value of Serbia's imports of goods from China (3515.4 million EUR) was more than four times higher than the value of goods exported to China (798.4 million EUR). The level of trade exchange with China has been growing. A significant increase in exports can be observed in 2019 (more than 3.6 times compared to 2018) and in 2021 (almost 2.5 times compared to 2020) on the import side, especially since 2018 (more than 20% increase year on year). In 2021, Serbia exported mainly ores, slag, ashes (53%), copper (34.5%), beech wood, and electrical machines and its products (ITC 2023b) but reached a deficit of about 2,700 million EUR due to higher imports of technical goods, textiles, and some other products from China. The highest share of imports from China is in the segment of electrical machinery and equipment, with a share of 22.4%, nuclear reactors (21.2%), and other non-specified commodities (14.2%). Iron or steel products, optical instruments and apparatus, pharmaceutical products, plastics, and products thereof individually accounted for less than 4% of total imports from China (ITC 2023b).

The mutual trade intensity between China and Serbia and vice versa (Figure 4) reaches values lower than 1, which means that their mutual trade intensity is at a lower level than expected, and there is potential for improvement. We can observe a substantial increase in their mutual trade since 2019 when the index recorded positive development in both cases, and the decrease did not occur despite the crisis in 2020.

Although the trade intensity index between Serbia and China shows growth, their trade exchange is under potential, suggesting that there is room for improvement. One of the main obstacles that prevent the development of more intensive trade relations is that China asserts its influence in Serbia through investments rather than trade cooperation. On the other hand, Serbia does not have sufficient capacity to increase demand for its products in the Chinese market (Table 2).



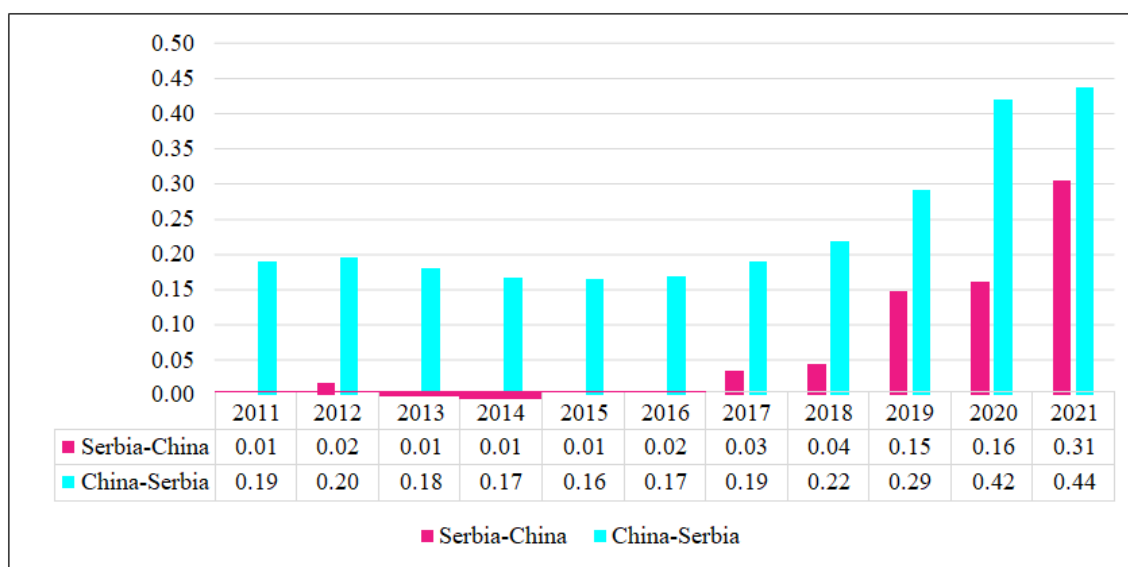


Figure 4: Serbia-China Trade Intensity (2011-2021) (Source: own, based on ITC 2023b)

As for China's share of exports of goods from Serbia, it stood at 12.3% in 2021, and its share of imports to Serbia was much lower (almost 4%). Compared to the position of the EU, China's share is, therefore, significantly lower. However, it is necessary to state that China's share has increased gradually, especially in recent years, both on the export and import side. Since 2019, its share of Serbia's exports has increased by almost 3 percentage points, and the share of imports has also increased significantly by 3.2 percentage points compared to 2018 (Table 1). This growth corresponds to the overall increase in imports from China (Figure 3). Moreover, from this point of view, mutual trade relations are more beneficial for China and its exports to Serbia (Markovic Khaze and Wang 2020).

Even though we have seen an increase in Serbia's exports to China, this is not sufficient to cover the growth in the value of imports from China (in 2021, it increased by 23% year-on-year, and imports increased almost 2.5 times).

Using the RCA (1) index, which is a simple but clear indicator of competitiveness, we investigated the competitive position of commodity groups exported from Serbia. By comparing Serbia's export rate in the exported commodity groups with its total export share in the total world export, we calculated the index values at the level of HS2, the harmonized system for the classification of products. Table 2 contains the commodity groups with the highest competitiveness level within the period under review.



Table 2: RCA (I) Index of Competitiveness Growth of Selected Commodity Groups Traded in Serbia between 2012 and 2021 (Source: own, based on ITC 2023c)

Code HS2	Product	RCA (I) 2012	RCA (I) 2013	RCA (I) 2014	RCA (I) 2015	RCA (I) 2016	RCA (I) 2017	RCA (I) 2018	RCA (I) 2019	RCA (I) 2020	RCA (I) 2021
'24	Tobacco and tobacco products	0.04	0.06	0.10	0.15	0.22	0.16	0.16	0.17	0.26	0.25
'36	Explosives and pyrotechnic products	0.06	0.08	0.10	0.12	0.21	0.23	0.20	0.17	0.18	0.25
'08	Edible fruits and nuts	0.10	0.12	0.13	0.14	0.14	0.14	0.12	0.12	0.14	0.16
'10	Cereals	0.14	0.10	0.12	0.11	0.13	0.09	0.10	0.13	0.15	0.15
'40	Rubber and its products	0.04	0.06	0.06	0.07	0.08	0.10	0.12	0.13	0.12	0.12
'41	Raw skins	0.04	0.05	0.06	0.06	0.06	0.07	0.09	0.10	0.08	0.11
'74	Copper and copper products	0.07	0.07	0.06	0.07	0.09	0.10	0.10	0.12	0.09	0.08

Since 2012, Serbia has not achieved a comparative advantage in any exported commodity group. Looking at the last 3 highlighted years, the highest values were achieved in commodity groups '24 - tobacco and tobacco products, '36 - explosives and pyrotechnic products, '08 - edible fruits and nuts, and '10 - cereals. We therefore expect further future growth in these commodities. As for tobacco and tobacco products, Serbia is a large exporter to the EU countries and the Western Balkans; nuts and fruits are placed mainly on the Russian market. Copper ore and copper products are among the core exports by Chinese-owned companies to China.

## DISCUSSION

Serbia is the largest trade and investment partner of the EU and China in the Western Balkan region. In relation to the EU, exports and imports are still growing. Serbia's exports to the EU are significantly lower than imports, deepening the trade balance deficit. Also, the level of trade exchange between Serbia and China is growing year by year. In 2021, Serbia's export to China was 157% higher compared to values in 2020. The difference between Serbia's exports and imports to China is more pronounced than in the case of exports and imports with EU countries.

To assess mutual trade, we calculated the trade intensity index between Serbia and the EU and between Serbia and China over the years 2011-2021. We found that the trade exchange between Serbia and the EU reaches values higher than 1, which means that the intensity of mutual trade is high. If the inflow of European investments to Serbia were to increase in the future, exports could grow due to new subcontracting contracts for the European market.

On the contrary, the trade intensity index between Serbia and China reaches values lower than 1. Their trade exchange is lower than expected, and there is room for improvement. The same applies to trade with China as to trade with the EU. Due to the low added value of exported commodities to China, but thanks to Chinese investments, for example, into the automotive industry and the potential possibility of subcontracting for the Chinese market, there is at least a theoretical possibility of growth of Serbian exports to China. However, attention should be paid to the deepening asymmetric trade relations between China and Serbia.

The values of the competitiveness index are very low, and their growth rate is moderate, which means that Serbian export is not competitive. One of the risks to Serbia's economic development is the high dependence on the economic performance of the EU and other Serbia's main trading partners.

Trade barriers remain one of the challenges in the development of Serbia's trade relations with the EU and China. Zhemelinska and Hong Song (2021) consider the main trade restrictions in Serbia's relations with China to be China's influence through investments rather than trade, as well as the low added value of exported products from Serbia. Serbia's government has been intensifying efforts to remove various trade barriers for all products except for products posing health and security risks. However, among some trade obstacles remain: transparency - as missing clear information on applicable rules in public sources; documentary requirements are in line with the international system; the problem remains in requiring supporting documents, reliance on paper-based procedures, the requirement to submit the Serbian translations of all supporting documents; difficulties in obtaining certificate on rules of origin for products exported to the EU (EUR.1 movement certificate, phytosanitary certification); product retesting on import (even if certificate is issued by official EU body); and complicated border controls. Even if huge changes were applied, traders still face relatively high trade costs that could be used for exploring new export markets or for better export promotion (UNECE 2021).

## CONCLUSION

Serbia's trade is so far stronger with EU Member States than with China; however, the share of Chinese foreign trade in Serbia's total trade is gradually growing. An obstacle to further development, especially from the point of view of Serbian exports, is its weak competitiveness. However, the possibility of increasing competitive position could consist of anchoring clear priorities: strengthening the effectiveness of institutions in Serbia, implementation of real estate, tax, investment, and public sector reforms that may contribute to the creation of a favorable business environment, strengthening the protection of industrial property, infrastructure development, and public procurement transparency.

Last but not least, the strengthening of exports with competitive products of high value and the further simplification of export and import procedures are also presupposed. The evolution of the EU's position cannot be predicted with certainty. Nevertheless, it is already evident that to maintain a consistent position in the country, a recommendation is made for the concentration on strengthening its standing in Serbian public opinion and expediting the integration process. Regarding China, consideration must be given to the risk of deepening the negative trade and payment balance and China's interests in the strategic areas of export and investment activities.

## CRediT AUTHOR STATEMENT

**Ľubica Zubaľová:** Conceptualization, investigation, data curation, writing - review and editing.

**Kristína Drieniková:** Conceptualization, methodology, investigation, resources, visualization, supervision.

**Lívia Ujlaky:** Writing - original draft, formal analysis.

**Eva Mária Ďurčeková:** Writing - original draft, formal analysis.

All authors have read and agreed to the published version of the article.

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# ALBANIAN PUBLIC ADMINISTRATION IN THE LIGHT OF OPENING ACCESSION NEGOTIATIONS: CHALLENGES AND PERSPECTIVES

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**Abstract:** *This paper aims to analyze the Europeanization of Albanian public administration in light of opening negotiations. The main research question is whether and to what extent Albanian public administration can approximate domestic legislation and ensure effective implementation. The core methodology in this paper is the traditional legal doctrine, which is based on analyses and interpretations of the EU acquis and Albanian legislation with a specific focus on reforming public administration. A reference to secondary sources in the Europeanization of public administration enriches the study. The paper argues that Albania has improved the legal framework for public administration in compliance with the EU acquis. However, it fails to ensure the proper implementation due to the following challenges: i) politicized bureaucracy, ii) the lack of capacity, iii) lack of public consultation with stakeholders, and iv) the inability to put in sound planning mechanisms and to carry out a realistic assessment. The paper concludes that Albania must establish a professional public administration with sufficient knowledge of EU acquis and adequately qualified staff to harmonize the domestic legal system and ensure proper implementation.*

**Keywords:** EU Integration; Europeanization; Public Administration; Effectiveness; Albania

## INTRODUCTION

After the fall of the Communist regime, Albania oriented its foreign policy toward Euro-Atlantic Structures. On 11 May 1992, Albania resumed diplomatic relations with the EU by signing an agreement on trade and commercial and economic cooperation. At this time, Albania was included in the trade preferences regime, known as the General System of Preferences, offered for third countries with which the EU had established contractual relations and received much financial aid from the EU. From 1991 to 2000, Albania received roughly €1.055 million as financial aid for economic reconstruction and structural reforms (Commission 2001). With the help of the EU, the Albanian economy improved. However, the collapse of pyramid schemes in 1997 harmed Albania-EU relations (Bogdani and Loughlin 2007). From 1997 to 2003, no perspective on EU membership was given.

After the famous declaration at the Thessaloniki Summit in 2003 that “the future of the Balkans is within the EU”, 2004 was expected to be a decisive year for Albania in which it would sign the Stabilisation and Association Agreement (SAA). Nonetheless, Albania’s European prospects were once again poised to be held hostage by domestic political instability. Despite the EU’s belief that initiating accession negotiations would positively impact Albanian reforms, various SAP reports have indicated the Albanian government’s inability or limited progress in addressing the recommendations outlined in those reports (Commission 2003; Commission 2004; Commission 2005).



From the opening of negotiations of the SAA in 2003, the Albanian government has stated its priority to conclude the SAA negotiations. The SAA entered into force on 1 April 2009 after ratification by the Albanian Parliament and EU Member States. Shortly, Albania applied to gain candidate status. On 16 November 2009, the European Council requested the European Commission to submit its opinion on the Albanian application. In its communication on Albania's candidate status, the European Commission argued that opening the negotiation process would be conditional once Albania respected the Copenhagen Criteria (Commission 2010a, 11-12).

While Albania submitted its application to open the negotiations process in 2009, it took around 12 years, starting in July 2021, to fulfill the criteria and open the negotiations process. This delay is due to EU Member States veto power and internal problems. While the Council suggested opening accession negotiations with North Macedonia and Albania by June 2019 (General Secretariat of the Council 2019), French President Macron vetoed the opening of accession negotiations with North Macedonia and Albania. Macron argued that the EU enlargement policy has to be changed, considering the long stagnation of Western Balkan countries (Bechev 2019).

In contrast to North Macedonia, where veto power was exercised by Greece due to name dispute, in the case of Albania, the veto power has been wielded as a result of the fulfillment of 5 key priorities: i) establishment of a professional and depoliticized administration; ii) strengthening the independence of justice institutions; iii) fight against corruption; iv) fight against organized crime; and v) protection of human rights (Skara 2020; Gotev 2018). Fulfilling 5 key priorities provided the green light to open the negotiations of the EU chapter *acquis*.

Additionally, the lack of a culture of dialogue between the main political parties has proved to be a determining factor in undermining prospects for European accession. Albanian political actors "remain highly divisive and confrontational" (Biberaj 2011, 369). Since 2009, Albania has experienced a deep political crisis due to the boycott of parliament by the opposition party. The second reason is that, as of July 2021, the primary responsibility of Albania's public administration is to align domestic legislation with the EU *acquis* and guarantee its effective implementation.

As Albania initiated accession negotiations in July 2020, public administration became more actively engaged in harmonizing and implementing the EU *acquis*. While previous studies have typically focused on the necessity for public administration reform in the context of European integration or the influence of EU conditionality on reforming public administration, this paper examines the Europeanization of Albanian public administration in the context of opening accession negotiations. The primary research question explores whether and to what extent Albanian public administration can harmonize domestic legislation and ensure effective implementation.

The paper is structured as follows: First, it offers a detailed theoretical discussion of the EU as a (legal) normative power influencing domestic normative and institutional changes in public administration. Then, the paper analyzes the EU's impact on public administration, concentrating on whether and to what extent public administration can align with domestic legislation and ensure effective implementation. The third section discusses challenges and perspectives in light of opening negotiations. The paper concludes that Albania has developed a modern legal framework in compliance with the EU *acquis*. However, the main challenges to ensure proper implementation remain: i) politicized bureaucracy, ii) the lack of capacity, iii) lack of public consultation with stakeholders, and iv) the inability to put in sound planning mechanisms and to carry out a realistic assessment.

## LITERATURE REVIEW

The impact of the EU integration process on the EU Member States or candidate countries represents a distinct research area in European studies. This process, known in the EU studies literature as Europeanization, has been discussed in various academic books and scientific articles. The most comprehensible definition has been given by Radaelli (2003), who defines Europeanization as “Processes of (a) construction, (b) diffusion, and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’, and shared beliefs and norms which are first defined and consolidated in the making of EU public policy and politics and then incorporated in the logic of domestic discourse, identities, political structures, and public policies” (p. 30).

Generally, the academic literature on the EU integration process can be divided into three stages. The first stage of academic books and scientific articles focused on the impact of Europeanization on the EU Member States’ polity, politics, and policies (Bulmer and Burch 2005; Ladrech 1994). The 2004 enlargement expanded the Europeanization literature, focusing on a second flow, analyzing the impact of Europeanization research in candidate countries and newly acceded Member States, respectively. The CEECs served as an example to outline domestic changes as a result of EU conditionality (Schimmelfenning and Sedelmeier 2008; Cowles et al. 2001; Grabbe 2001; Papadimitriou and Phinnemore 2004), including in the area of public administration (Nemec 2016; Hille and Knill 2006; Sotiropoulos 2004). After the Thessaloniki Summit, where European leaders declared that “the future of the Balkans is within the EU” once they meet the accession criteria, the Western Balkan region became the third flow in the Europeanization literature (Knezović 2009; Anastasakis 2005; Anastasakis and Bechev 2003; Börzel 2011; Schimmelfenning 2008).

Several authors have analyzed the impact of Europeanization on Albanian polity, politics, and policy, including public administration. Most of the studies consulted for this study are descriptive and provide a theoretical approach to the impact of the EU integration process in reforming public administration. Kraja and Hysi identify problems associated with public administration and provide a theoretical approach to reforming public administration in the light of EU integration (Kraja 2015; Hysi 2015). Another article, written by Arolda Elbasani, assesses whether EU enlargement conditionality has played a role in reforming public administration in Albania (Elbasani 2008). This paper argues that EU conditionality has failed to reform Albanian public administration. In contrast, Cenaj and Elezi identify some challenges that Albanian public administration faces in the context of EU integration (Cenaj and Elezi 2014).

These studies serve as a valuable and supportive reference point for the present paper, arguing that the European integration process has positively affected public administration. However, with the opening of accession negotiations, this paper offers a comprehensive and updated assessment of the public administration’s capacity to harmonize domestic legislation with the EU *acquis* and ensure proper implementation.

## METHODOLOGY

The core methodology in this paper relies on the traditional legal doctrine, which is founded on analyses and interpretations of the primary sources—the EU *acquis* and Albanian legislation, respectively. The study examines and interprets the Stabilization and Association Agreement (SAA) harmonization clause (Article 70) and its impacts on the Albanian legal system, specifically focusing on reforming public administration. Furthermore, the paper is enriched by references to non-binding soft law documents of the European Commission and European integration literature, such as books, journals, and articles.

### THE EU AS A TRANSFORMATIVE LEGAL POWER: INDUCING DOMESTIC LEGAL CHANGES TO CANDIDATE COUNTRIES

During the 1970s, scholars started to discuss the nature of the EC/EU and its role in the international scene. François Duchêne was the first author to coin the EC/EU as a civilian power. Duchêne stated that “the European Community must be a force for the international diffusion of civilian and democratic standards or it will be more or less the victim of power politics run by powers stronger and more cohesive than itself” (Duchêne 1973).

Another prominent scholar, Hedley Bull, coined the EC/EU as a military power (Bull 1982). During the 1990s, the result of the end of the Cold War and the creation of a Common Foreign Security Policy to become a global actor raised the interest of research to focus on the “stateless” of EC/EU by using the concepts of “presence” and “international identity” (Manners 1997).

In the context of EU enlargement, the EU’s normative power has been associated with the Europeanization process, which denotes the impact that the EU induces on the domestic polity, politics, and policy of candidate countries (Sedelmeier 2014). In the legal context, the EU normative power has influenced the domestic legal system of third countries to comply with the EU *acquis* (Petrov 2006; Petrov 2008; Magen 2007). According to Magen and Petrov, through establishing contractual relationships with third countries, the EU is pushing these countries toward greater legal convergence to approximate their domestic legislation in compliance with the EU *acquis*. Through the harmonization clause, this paper analyses how the EU induces direct adjustment pressure on Albania’s public administration to comply with the EU *acquis*.

### APPROXIMATION OF THE LEGAL SYSTEM TO THE EU ACQUIS AND ENSURING PROPER IMPLEMENTATION: THE ROLE OF BUREAUCRACY

In the Copenhagen Summit held in 1993, the European Council decided that any European country wishing to join the EU has to demonstrate the fulfillment of what has been referred to as the Copenhagen Criteria:

The candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy, as well as the capacity to cope with competitive pressure and market forces within the Union. Membership

presupposes the candidate's ability to take on the obligations of membership, including adherence to the aims of the political, economic, and monetary Union.

The Union's capacity to absorb new members while maintaining the momentum of European integration is also an important consideration in the general interest of both the Union and the candidate countries (European Council 1993).

As can be seen, the harmonization of domestic legislation with the EU *acquis* is one of the conditions for the accession of candidate states to the EU. In 1995, the European Council argued that harmonizing legislation entails institutional administrative changes to implement the harmonized legislation effectively (European Council 1995). Two years later, the Agenda 2000 (Commission 1997) emphasized the importance of the candidate countries' administrative capacity to adopt, implement, and enforce the EU *acquis*. Since then, harmonizing legislation in compliance with the EU *acquis* and having a capable public administration to ensure effective implementation have been seen as indispensable in the EU integration process.

Albania signed the SAA in 2006 and entered into force in April 2009. The SAA is seen as a tool to impose conditionality for the Western Balkan countries. Like the European Agreement, SAA has encouraged domestic reforms in various areas. The approximation of laws and proper implementation are among the key goals of the Stabilisation and Association Agreement (Hajdini and Skara 2017).

According to article 70 (1) SAA, both parties "recognize the importance of the approximation of Albania's existing legislation to that of the Community and its effective implementation" and "Albania shall endeavor to ensure that its existing laws and future legislation shall be gradually made compatible with the Community *acquis*". The approximation process is carried out in two stages. In the first stage, harmonization focuses on the internal market's fundamental elements (Article 70 para. 3). In the second stage, the remaining parts of the *acquis* will be harmonized. Thus, Albania must harmonize its domestic legislation with the EU *acquis*.

Furthermore, Albania has to ensure proper implementation of the approximated legislation. As noted in the Madrid European Council Summit and later emphasized in the White Paper (1995), the adjustment of administrative structure to ensure effective implementation of EU *acquis* is considered an accession criterion (Commission 1995). Candidate countries like Albania must establish an adequate administrative structure to ensure the effective implementation of the harmonized legislation. Otherwise, a lack of human resource capacities results in mismanagement of the implementation process.

## CHALLENGES AND PERSPECTIVES IN LIGHT OF OPENING NEGOTIATIONS

As Albania initiated negotiations to sign the SAA in 2003, the country encountered heightened pressure to establish an institutional structure to oversee the accession process. The public administration plays a crucial role in the European integration process by harmonizing domestic legislation with the EU *acquis* and ensuring proper implementation—a challenge faced by candidate countries. This issue was underscored by the warning in the White Paper in 1995:

The main challenge for the associated countries in taking over internal market legislation lies not in the approximation of their legal texts, but in adapting their administrative machinery and their societies to the conditions necessary to make the legislation work (Commission 1995, 23).

In the framework of the EU enlargement, implementation has been defined as a process “through which European norms are transposed, adhered to, and enforced at the domestic level” (Sverdrup 2008, 197). Christoph Knill defines implementation as “the degree to which the formal transposition and the practical application of supranational measures at the national level correspond to the objectives defined in European legislation” (Knill 1998, 2).

Since 2009, the SAA entered into force, reforming public administration has been a priority. The 2012 and 2013 EC Progress Reports have emphasized the need to establish a professional and depoliticized administration. Adopting Law 152/2013, “On Civil Servant” strengthened the status of civil servants. According to Article 5 of Law 152/2013, the management of civil servants is guided by the principles of equal chances, non-discrimination, merits, transparency, professionalism, and political impartiality.

Furthermore, in light of opening negotiations with the EU, establishing an adequate negotiation structure and addressing the challenges coming from the approximation and implementation of legislation are the primary concerns. Regarding the institutional structure, the Council of Ministers, by Decision 749/2019, established the negotiation structure to achieve the following objectives: i) carrying out the screening process and assessment of Albanian domestic legislation with the EU *acquis*, ii) defining and drafting the negotiating positions of the Republic of Albania for each chapter of the EU *acquis*, and iii) the negotiation and adoption of the Accession Treaty (VKM 749/2019). The critical institutions engaged in the negotiations include: i) The State Committee for European Integration, ii) State Delegation, iii) Negotiation Group, iv) Albanian Delegation to the EU, v) Secretariat of European Integration; vi) Inter-institutional working groups; vii) Partnership Platform for European Integration. The tasks and competencies of each of these institutions are foreseen in the Council of Ministers’ decisions.

On the other hand, Albania has developed a modern legal framework in compliance with the EU’s *acquis* (Commission 2021; Commission 2022). However, the main challenges to ensure proper implementation remain i) politicized bureaucracy, ii) the lack of capacity, iii) lack of public consultation with stakeholders, and iv) the inability to put in sound planning mechanisms and to carry out a realistic assessment (Hajdini and Skara 2017; Cenaj and Elezi 2014).

Firstly, since the fall of the communist regime, governmental changes in public administration have been associated with politicized nominations (Commission 2006; Commission 2007; Feilcke-Tiemann 2006). This politicization of bureaucracy has led to “the absence of sound accountability mechanisms in public administration [which] increases the opportunities for bypassing established procedures” (Commission 2008, 8). According to the European Commission Report 2012, bureaucracies “suffer from shortcomings related to politicization and a lack of meritocracy in recruitment, promotion, and dismissal of civil servants” (Commission 2012, 10). In 2013, the Law on Civil Servants was adopted in line with the principles of public administration (Law 152/2013). The law provides merit-based recruitment, promotion, and dismissal in public service.

Secondly, Albanian public administration suffers from a general lack of capacity and inadequate training concerning adopting and implementing the EU *acquis*. Such a lack of capacity and resources impacts the ability to plan, implement, and monitor the process of public policies. The 2020 EC Progress Report notes that more human and financial resources must be allocated to the EU negotiations process (Commission 2020, 12).

Thirdly, there is a lack of broad consultation with interested stakeholders. The 2013 Progress Report states that the approximation of legislation is associated with ineffective implementation of legislation. Specifically, the report notes that “weak analytical capacity and high staff turnover in line ministries, together with insufficient transparency and consultation with relevant stakeholders, continue to hamper the legislative drafting process” (Commission 2013, 8). In 2014, the Law on Public Consultation was adopted (Law 119/2014), establishing procedural norms for transparency and public participation in decision-making, aligning with EU standards (Commission 2018). Similarly, the 2016 Progress Report states, “the quality of the consultation process still needs improvement. Public scrutiny of government work is still limited” (Commission 2016).

The fourth problem relates to the sound planning mechanisms of the draft legislation. Lack of consultation with interested stakeholders brings ineffective implementation of legislation. According to the European Commission Report 2010:

Proper implementation of and respect for legislation have been affected by its poor quality. Furthermore, implementation is hampered at times by the lack of full understanding of the social and political role of laws by relevant public sector institutions; these disregard certain legal provisions as a result. There have been cases in which respect for legislation and the rule of law have been put into question by the government, with Constitutional court decisions and rulings being challenged or even disregarded (Commission 2010b, 13).

## CONCLUSION

Since the famous declaration in the Thessaloniki Summit in 2003 that “the future of the Balkans is within the EU”, fulfilling accession criteria has been a prominent topic in the Western Balkans, a region characterized by inter-ethnic conflicts, high level of corruption, lack of the rule of law and high level of informalities.

One of the accession criteria is harmonizing domestic legislation in line with the EU *acquis* and ensuring proper implementation. Furthermore, adjusting institutional administration to implement domestically harmonized legislation has been among the accession criteria. Since 2009, when the Stabilization and Association Agreement (SAA) entered into force, public administration reform has been a critical priority, as Albanian public administrations remain weak, politicized, and lack transparency. The adoption of Law 152/2013, “On Civil Servants,” strengthened the status of civil servants and increased their professionalism and political impartiality.

This paper concludes that Albania, as a candidate country, should have a bureaucracy capable of transposing and implementing the EU *acquis*. While Albania has improved the legal framework for public administration in compliance with the EU *acquis*, it lacks to ensure proper implementation. The paper argues that the main challenges to ensure proper implementation remain: i) politicized bureaucracy, ii) the lack of capacity, iii) lack of public consultation with stakeholders, and

iv) the inability to put in sound planning mechanisms and to carry out a realistic assessment. Albania must establish a professional public administration with sufficient knowledge of EU *acquis* and adequately qualified staff to harmonize the domestic legal system and ensure proper implementation.

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# EAST SEA POLICY OF THE UNITED STATES IN THE CONTEXT OF THE US-CHINA COMPETITION

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**Abstract:** *The East Sea has a vital position for maritime powers worldwide and is a crucial point of strategic competition for significant countries. Currently, the East Sea is where many fierce disputes over sovereignty, sovereign rights, and jurisdiction occur between coastal countries because the views and interests of each side are far apart, and they need help finding a consensus on how to solve the problem. The US interests in the East Sea include diverse interests in freedom of navigation, economics, politics, military, and security. The article aims to systematically analyze and explain the US policy towards the East Sea issue since the US Administration announced the Pivot to Asia-Pacific strategy. The US foreign policy towards the East Sea has changed in the direction of increased US involvement in response to rising tensions over disputes, especially towards increased interests of China in this region. Although the United States does not take sides in sovereignty claims, it nevertheless increases its involvement in the issue, focusing on peaceful control of claims and resolving disputes through peaceful negotiation measures.*

**Keywords:** *US; China; Rivalry; Competition; East Sea; Vietnam*

## INTRODUCTION

The East Sea is a part of the Pacific Ocean, an area of about 3.5 million km<sup>2</sup> with a biodiversity continental shelf and abundant aquatic resources. This area is considered a high-quality oil and gas reservoir. The East Sea has a critical geostrategic position, directly affecting the interests of coastal countries, the Asia-Pacific, and even the United States.

The East Sea is one of the critical geostrategic areas related to the interests of many countries inside and outside the region, where the military power of many countries is displayed and expanded competitively for strong influence between major powers, most notably the United States and China. Over the past decade, the rise of China has gradually changed the landscape and power relations in the Asia-Pacific region. The US also acknowledges China's assertive rise and finds a reasonable strategy to balance power with this country in the region. China's attempts in the East Sea have raised concerns for the United States. In particular, under the presidency of Joe Biden, the US named China as a strategic competitor in the National Security Strategy published in October 2022. The US-China strategic competition related to the East Sea comes from conflicts of interest.

For China, the East Sea is strategically, economically, and militarily crucial for expressing China's ambitions to expand its sphere of influence to the southern region. China considers the East Sea a vital interest and a "springboard" for its expansion abroad. The East Sea is a trade route that helps China develop a stable and prosperous economy.

In addition, if China can control the East Sea, China can expand its defensive space beyond its territory. To deal with new challenges in the East Sea, the United States has changed its thinking about the “sea power strategy” and set new goals for the US Navy. One of those goals is for the United States to focus on developing the strength of its Navy and consider it a pillar in maintaining the United States’ leadership role in regions of the world. The US maritime security strategy also articulates significant goals, including protecting freedom of navigation, preventing conflict and coercion, and promoting compliance with international laws and norms (Cuong 2019). The East Sea policy of the Obama administration has shown that the US foreign policy in the East Sea focuses mainly on protecting the interests of the US and its allies; the US wants favorable development in the East Sea rather than an armed conflict occurring. The US seeks to maintain a balanced relationship with coastal countries in the region. However, US policy in the East Sea has changed more or less in two periods before and after the world financial crisis 2008 (Le 2012).

## THE GEOSTRATEGIC VITAL OF THE EAST SEA FOR THE UNITED STATES

### Maritime Benefits

The East Sea is the bridge between the Strait of Malacca and Southwest Asia and the Balintang Canal, between Bashi and the Taiwan Strait and Northeast Asia, and a strategic maritime route between the North Pacific Ocean and the Indian Ocean. The US considers the East Sea the most important trade route. This is an international water area for freedom of navigation, so the US believes that any threat to freedom of navigation through the East Sea could have significant impacts. To the regional economy, the economic growth and security of the United States depend on maintaining freedom of navigation with both merchant and military vessels (Ralph et al. 1998). Because of those significant interests, the US is increasingly showing more interest in developing disputes in the East Sea, peaceful dispute settlement in the two archipelagos of Hoang Sa and Truong Sa, and other regions of the East Sea. If there is a conflict, the US is ready to respond to maintain freedom of navigation in the East Sea area (Tien Phong 2022).

### *Benefits of Oil and Gas Energy Sources*

Identified as one of the sea areas with the world’s largest oil and gas reserves, the amount of oil in the East Sea becomes a large asset block that any country wants. In addition, according to experts, the East Sea also has frozen gas resources, which are considered valuable as substitutes for oil and gas in the future and are currently concentrated in the Hoang Sa and Truong Sa. With the United States struggling to deal with the severe consequences of the financial and economic crisis and the 2008 oil price crisis, oil, and gas are more important to the United States than ever, and this significant energy source from the East Sea will be the goal that the US is always aiming for.

### *Military Benefits*

The East Sea was once an area for Japan to use as a base to attack Southeast Asian countries during World War II (Ba et al. in Truong Sa); Subic and Clark air bases of the Philippines and



Cam Ranh military port were used by the United States and the (former) Soviet Union to deploy forces and expand their influence in the region during the Cold War; There are straits with natural deep water levels in the world, favorable for the deployment of strategic nuclear submarines that can approach surprise attack targets. Therefore, all countries want a specific position in the East Sea to ensure national security and deal with other non-traditional security challenges. Dealing with traditional and non-traditional security challenges has always been one of the US national priorities. The East Sea is identified as an essential traffic route in the US defense system against piracy and terrorism, especially in the Strait of Malacca.

## THE GEOSTRATEGIC ROLE OF THE EAST SEA FOR CHINA

The geostrategic significance of the East Sea for China can be seen as no different from the Greater Caribbean (including the Gulf of Mexico) for the United States in the late nineteenth century. Only when controlling the entire Caribbean Sea can the United States dominate the Western Hemisphere and dominate the power order in the Eastern Hemisphere. Similarly, China will try to dominate the Asia-Pacific region much as the United States dominates the Western Hemisphere (Mearsheimer 2010). If China can dominate the East Sea, then China will have the opportunity to become the hegemon of the Western Pacific Ocean and reach out to the Indian Ocean (Lee 2002). Regarding China's geostrategic interests in the East Sea, four critical aspects can be seen: territory resources, transportation, security-defense, and cultural-historical aspects. About *territory and resources*: Survey studies and practical exploitation of resources in the East Sea show tremendous potential. China wants to occupy not only all the islands and reefs on the Paracel and Spratly archipelagos but also the exclusive economic zones (EEZs) of countries under the United Nations Convention on the Law of the Sea. (UNCLOS 1982), these areas are more than 1,200 km from the nearest coast of China (Hainan Island).

Regarding *traffic*: While China's overland trade with other countries and continents faces many obstacles due to topography and security, especially the Southwest transport routes to access the Indian Ocean through Myanmar, Pakistan, and India, the international maritime routes on the west coast of the Pacific Ocean mainly pass through the East Sea with places such as the Strait of Malacca in the South East Sea and the area between the two Spratly Islands and the East Sea. The critical lines are the Paracels in the north-south direction to connect China with the world. Regarding *national defense and security*, China aimed at two core purposes.

The first is to prevent freedom of navigation by foreign warships, especially by adversaries, beyond the limit of 12 nautical miles from the baseline. The second is to open the way to the Blue Ocean (continental sea) for the Chinese Navy in the East China Sea under the control of the US and its allies. Japan and Taiwan have blocked reaching the Indian and Pacific Oceans of China. Only through the East Sea to the Blue Ocean will China be able to use surface or submarine warships to protect its core defense and security interests from other potential adversaries. Regarding *culture and history*, China looks to the East China Sea and the East Sea to "regain the face" of a great nation in the past (Minh 2022).

## THE EAST SEA POSITION IN THE UNITED STATES'S STRATEGY POLICY

The US National Security Strategy 2010 affirms the fundamental security interests of the United States, including 1) defending the territory of the US, the American people, US allies, and interests of the US; 2) stabilizing the region and eliminating any dominant power or group of powers that would threaten or hinder the US opportunities or interests; 3) develop the region and promote free trade and open markets; 4) ensure a stable, secure and nuclear-free world; 5) promoting global values, such as good governance, democracy, human rights, and religious freedom; 6) ensuring freedom of navigation, a prerequisite for regional stability and the protection of the US interests (White House 2010). These benefits have always been maintained through the presidencies of the US.

The US foreign policy in the East Sea focuses mainly on protecting the interests of the US and its allies; the US wants favorable development in the East Sea rather than an armed conflict. The US wants to maintain a balanced relationship with coastal countries in the region. However, US policy on the East Sea has changed more or less in the two periods before and after the 2008 financial crisis.

So far, the East Sea has always been one of the top concerns in US foreign policy because of its core benefits. The position of President Joe Biden's administration in the East Sea is creating the defining diplomatic war in Asia over the next decade, a tug-of-war between the United States and China over a dominant role in the region.

The current East Sea policy of the US is reflected in the following four aspects:

First, the US does not agree with the threat or use of force to assert the national claim of any state in the territory of the East Sea and will consider such use an essential issue.

Second, the US commits to supporting its allies and is ready to help protect its national maritime sovereignty.

Third, the US supports the bilateral and multilateral cooperation mechanism and urges the peaceful resolution of the problems of the relevant states in a way that enhances peace, prosperity, and security in the region.

Fourth, the US has a strategic interest in maintaining the lines of communication in the area and considers it fundamental to disagree with any maritime claim beyond that permitted by the United Nations Convention on the Law of the Sea (White House 2022).

The US National Security Strategy of October 2022 affirms that the Indo-Pacific will be the focal point of 21st-century geopolitics. As an Indo-Pacific power, the US has a significant stake in realizing an open, interconnected, prosperous, secure, and resilient region.

The US is committed to supporting and protecting the freedom of the seas and building joint regional support for broad access to the East Sea—the path for nearly two-thirds of global maritime trade and 1/4 of international trade. The US affirms maintaining and developing the five regional treaty alliances and the closest partnerships to reinforce these commitments.

For ASEAN, the US continues to affirm cooperation. It seeks more profound relationships with Southeast Asian partners through expanding diplomatic, development, and economic engagement in the region, focusing on Southeast Asia and the Pacific islands.

The US also affirms the collective consensus of the Quad (Quad group) and AUKUS (US - UK - Australia) groups, according to which these two groups will also play an essential role in solving regional challenges. Actively strengthen its collective strength by bringing together America's allies and partners - including by encouraging closer linkages between Indo-Pacific nations and Europe.

In the National Security Strategy 2022, the US continued to affirm its commitments to the Indo-Pacific treaty allies Australia, Japan, South Korea, the Philippines, and Thailand. The US will continue to protect Japan under the two countries' mutual security treaty, including the Senkaku Islands.

Additionally, the US continues to pledge its support for the freedom of navigation and overflight and to protect fishing activities following international laws, including the United Nations Convention on the Law of the Sea.

## **SPECIFIC STRATEGIES OF THE US IN THE EAST SEA**

### **Upholding the United Nations Convention on the Law of the Sea**

In light of China's recent actions regarding the East Sea issue, the Biden administration upheld the United Nations Convention on the Law of the Sea (UNCLOS 1982), which considered China's claim to be "illegal", supporting Southeast Asian countries. The US allocated more than 5 billion USD to the "Pacific Deterrence Initiative" framework to increase the ability to respond to challenges in the Asia-Pacific region and improve its strategic relationship with China (Thanh 2021). China has demonstrated its ability to occupy and defend these waters against counterattacks. However, the US has always denied the legitimacy of its sovereignty claims to China. It assures the world, especially its allies, that China cannot fulfill those unreasonable claims, even using military means (Binh 2021).

### **Strengthening Relationships with Alliances and Partnerships**

To create a balance with China, emerging strongly in Asia, the US continues strengthening its alliance and partnership with Japan, Korea, Thailand, Singapore, and the Philippines, deploying military forces to ensure regional security and strengthen the US position in the East Sea. Exercise "Super Garuda Shield" took place from August 1-14, 2022, with a large scale and scope superior to previous exercises in the context of tensions between the US and China. The US decision to upgrade security ties with Indonesia previously was a sign of a strategic shift in Washington's policy towards the region.

Under President Joe Biden, to continue to take advantage of this most essential and most significant country in Southeast Asia, in the "Super Garuda Shield" exercise plan, the Natuna Islands of Indonesia were chosen by the US as the venue for the event—the most crucial military exercise in the region between the US and its allies. The US and Indonesian militaries have held these activities since 2009. However, this exercise has an enormous scale in the region with 14 participating countries; the main content is for countries to coordinate activities to improve maritime communication, rescue, and flying exercises using temporary runways. This exercise differs from the drill of the same name in 2021, a sea island defense drill with subjects such as field training, aviation, and medical care, aiming for a free and open Indo-Pacific.

### *Promoting the Formation of Multilateral Security Cooperation Mechanisms*

The Quadrilateral Security Dialogue (Quad), the most crucial security mechanism emerging in Asia, has recently attracted much international attention. The Quad between the United States, Japan, India, and Australia discussed measures for the US to prevent China from dominating the Indo-Pacific region. The 2021 summit is the first meeting and has the highest level of attendance in the Quad. Also, at this Conference, for the first time, the Quad issued a Joint Statement directly addressing the East Sea issue, the 1982 United Nations Convention on the Law of the Sea (UNCLOS), and maritime security. This is considered a significant step in gradually institutionalizing the Quad's goals. Moreover, the members of the Quad have also demonstrated their legal position in the East Sea more clearly by strengthening cooperation to improve maritime capacity for regional countries. Cooperation in capacity building is an area that Quartet members have been and will continue to maintain, with emphasis on cooperation with countries in the ASEAN region, such as Vietnam, the Philippines, and Indonesia.

In addition to establishing the Quad, the US-UK-Australia Trilateral Security Partnership Agreement (AUKUS) is also considered one of the prominent landmarks in the current US East Sea policy. AUKUS, including building nuclear-powered submarines (SSNs), transfers nuclear engine technology to Australia while providing infrastructure and support for mining created to ensure a favorable balance of power to enhance military deterrence, to strengthen security-military and diplomatic cooperation, with a focus on the Indo-Pacific region.

AUKUS affirmed three issues: (1) Indo-Pacific continues to be the number one strategic and security priority of the US, surpassing the Middle East; (2) the birth of the first formal, multilateral military alliance in the Indo-Pacific region in the 21st century has a multi-dimensional impact, shaping the new situation in the region according to the intentions of the Indo-Pacific region; (3) in essence, this is a new method of gathering US forces to deal with the rise of China, aiming to affirm the US hegemony role in the region.

### *Increasing Presence in Southeast Asia, Especially Attaching Importance to Relations with the ASEAN*

Southeast Asia will play a key role in shaping the region's future, and the US's continued commitment to the region ensures US participation in this shaping process. Southeast Asia is significant to the peace and stability of all Asia-Pacific countries and the prosperity of the US economy.

President Joe Biden's administration attaches great importance to the Strategic Partnership with ASEAN, supports ASEAN's central role and the ASEAN Outlook on the Indo-Pacific (AOIP), promotes enhanced US-ASEAN cooperation, and fosters the cooperative relationship between ASEAN Member States and the countries of the Quad group to address the challenges posed. The US will closely coordinate to maintain the region's peace, security, and stability, including maritime security and safety in the East Sea. The United States continues to contribute to ASEAN's regional cooperation mechanisms, such as the ASEAN Regional Forum (ARF), the ASEAN Defense Ministers' Meeting Plus (ADMM+), and the East Asia Summit (EAS). The United States actively supports ASEAN's efforts to negotiate a Code of Conduct in the East Sea (COC) with China under international law, including the United Nations Convention on the Law of the Sea. In the long term, the US still

maintains the approach. It wants ASEAN to share the US strategic priorities in the Asia-Pacific region, especially in the issue of containing China (Nham 2021).

However, in the opposite direction, the US still increased the deployment of military presence activities, demonstrating deterrence power and increasing the presence of essential areas in Southeast Asia and, more broadly, the Indo-Pacific. We have used Freedom of Navigation Operations (FONOPs) as one of the ways to challenge excessive maritime claims. Notably, the FONOP trip on July 12, 2021, occurred on the fifth anniversary of the Permanent Court of Arbitration's ruling on the East Sea issue (2016). During the FONOP voyage on September 8, 2021, the US Navy ship entered the 12-nautical-mile area of Mischief Reef, Spratly Islands, after China's (amended) Maritime Traffic Safety Law took effect. The US also deployed more warships and short- and medium-range ballistic missiles in the region, stepped up the redeployment of forces, and established a new military base in Southeast Asia (Dinh 2022).

As for Vietnam, the US continues to maintain the Security-Defense Political Dialogue with Vietnam; strengthened the exchange of delegations and consultations on sensitive issues in the East Sea; proposed to increase the frequency of US military ships entering Vietnam, wanted Vietnam to join the Anti-Proliferation Initiative (SPI) and the Global Peacekeeping Initiative (GPOI) soon. Especially after ARF 17, the US still consistently affirms a favorable position for Vietnam and ASEAN on the East Sea issue.

## CONCLUSION

The East Sea is becoming an issue of top concern to the US's current foreign policy. The United States shifted from being just an observer country, not a country coastal to the East Sea, nor a party to the sovereignty dispute in the East Sea, to officially participating in this issue and becoming one of the factors influencing the security situation in the East Sea.

Since the US Administration implemented the Pivot strategy to the Asia-Pacific region, US foreign policy towards the East Sea has changed toward increasing US involvement in response, increasing tensions over the disputes, especially in China's growing influence. US foreign policy in the East Sea focused mainly on protecting the interests of the US and its allies. The US approved favorable development in the East Sea and maintained balanced relations with coastal countries in the region. However, current US policy in the East Sea has changed somewhat in the two periods before and after the 2008 world financial crisis.

The US is increasingly concerned about freedom of navigation at sea and the need to protect the business activities of US energy companies and, more broadly, US economic interests. For the US, the East Sea is an essential link in the strategic adjustment from Europe-Atlantic to Asia-Pacific. As a maritime power geographically surrounded by two oceans, the United States is always interested in the role of the sea and maritime power in building, developing, and protecting national security. In the current context of globalization, the East Sea increasingly holds a vital position in the US's maritime strategy and maritime power because the East Sea continues to be one of the most important sea routes in the world, connecting Europe with Asia, the Pacific Ocean, and the Indian Ocean. In addition, the world balance of power is shifting from Europe to Asia, directly related to China's rise and growing influence in the region.

Thus, US interests in the East Sea include diverse interests in freedom of navigation, economics, politics, military, and security, which are unchanged. Southeast Asia and its sea routes could provide the United States with an easily accessible location south of the continent. With an increased military presence in Central Asia and a closer alliance with Japan on military and security issues in the East, Southeast Asia can help the US create a strategic belt from the West down to the South and to the East to protect the interests of the US and its allies here.

For the US, the East Sea is critical in any presidency; it must ensure peace, stability, security, safety, and freedom of navigation here. In addition, the US also needs to build an order based on international rules and cooperate with regional partners, especially ASEAN.

Although each US presidency may have a different approach to the East Sea situation based on a bilateral or multilateral system, in recent times, the US has still sought to connect more closely with countries in the region while enhancing military, economic, and security presence in the area to ensure US interests.

The US will continue cooperating with allies and partners in the region and the world to ensure freedom of navigation based on respect for international law. The US, whether it wants to or not, must still create space for cooperation with countries and partners in the region, and as such, it must continue to value ASEAN. Finally, the US will still pay special attention to the issue of respect and strict compliance with international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

So far, US policy on the East Sea issue has had a specific effect. Maritime security and the East Sea issue are regularly discussed at annual conferences, such as the ASEAN Regional Forum and the East Asia Summit. China and ASEAN have also begun to take steps towards agreement on a Code of Conduct. However, the East Sea has become a central issue in the US-China bilateral relationship. In that case, it will likely become a huge competition between the two countries regarding regional security.

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# "NEIGHBOURHOOD FIRST POLICY" UNDER NARENDRA MODI: INDIA'S STRATEGIC CONCERNS IN SOUTH ASIA

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**Abstract:** After becoming the Prime Minister of India, Narendra Modi made many efforts to consolidate his dominance in South Asia and expand India's influence in the Indian Ocean. The "neighborhood first policy" was highlighted in India's foreign policy. Based on historical and logical research methods and studies in international relations, the paper aims to examine the implementation of "neighborhood first policy" through bilateral relations between India and its neighboring countries. These relationships have been facing challenges from the more profound influence and interference of China as well as frequent terrorist incidents due to border disputes, which threatened regional security. Although this policy connected India with its neighboring South Asian countries, there were still challenges. It can be seen that the "neighborhood first policy" was Prime Minister Modi's effort to nurture bilateral relationships, enhance regional connectivity, and strengthen and elevate India's position in the region. The progress of the "Neighborhood First" policy is expected to continue more successfully in the next phase.

**Keywords:** Foreign Policy; Neighbourhood First; India; Strategy, Narendra Modi

## INTRODUCTION

India's neighborhood policy encourages it to focus on national security and economic development to strengthen its position as a regional power while motivating it to become a global power. The nation's geopolitical and geostrategic position has also prompted New Delhi to pursue particular relationships with its neighbors. The focal turning points in the history of relations between India and its neighbors after the Cold War were India's nuclear tests in 1998, the Kargil War in 1999, and the US global war on terror directly related to South Asia, India's backyard. With the foundation of Gujarat's development model and inspiration from the Gujral doctrine, Prime Minister (PM) Narendra Modi, after coming to power, embarked on a pragmatic and proactive foreign policy of "neighborhood first". After one term of implementing policy with neighboring countries, besides initial positive results, PM Modi's administration needs to have a new point of view and a practical approach to neighboring countries to become an economic and political power country in the region and the world, especially in the context of the essential strategic competition between India and China.

## LITERATURE REVIEW

The topic has received the interest of many researchers, and numerous study projects have been published. Regarding India's neighborhood policy, Das (2016) presents new prospects for enhanced integration and several solutions to foster sustainable commitment between India and its

neighboring countries, aiming to build peace in the region. As a regional power experiencing high economic growth and rapid integration into the global economy, India's policies towards its neighboring region, coupled with recent efforts to establish peace in South Asia, have been analyzed in detail by the author. The analysis delves into the complex relationships between India, Nepal, and Pakistan. Pal (2018) analyzes that in order to become a regional power, New Delhi needs to reassess its priorities in foreign policy. The author proposes several solutions to address conflicts and build peace in the region, especially considering China's increasing influence over India's neighboring countries.

Regarding Modi's role and perspective, Chaulia (2016) highlights the significance of Modi as a critical factor in shaping India's foreign policy. Having held essential positions in India, Modi has taken numerous actions to promote international cooperation and enhance India's image regionally and globally. Under his adept leadership, India is gradually moving towards becoming a global power. Ganguly et al. (2018) emphasize that India's foreign policy under Modi's tenure has made remarkable progress towards stability, peace, and prosperity in the region. With Modi's skilled leadership, India is poised to become a "diplomatic superpower". Additionally, numerous research works are on the bilateral relations between India and its neighboring countries, factors influencing these relationships, and overall neighborhood policies. These studies highlight the increasing presence of China, escalating tensions with Pakistan regarding the Kashmir issue, and activities supporting terrorism, all of which pose threats to India's national security and regional peace.

## METHODS

In terms of research methodology, this paper employs a range of research methods, including historical and logical methods, to examine different historical periods and chronological aspects simultaneously, along with specific social science methods like analysis, statistics, synthesis, and comparison to present data descriptions, statistics, and explore patterns within specific spatial and temporal contexts. In addition, this research uses popular methods in political science, especially for analysis of recent periods, such as content analysis, comparative analysis, and event analysis, to explain the foreign perspectives of India and its neighboring countries.

## RESULTS AND DISCUSSION

### "Neighbourhood First Policy" of India before PM Modi

Since independence in 1947, India has pursued a regional policy based on the argument that the subcontinent, solely influenced by India and New Delhi, must strive to prevent the intervention of great powers in the affairs of the region (Mohan 2003). Neighbors are an important region for national security and a market that can contribute to India's economic development.

In the context of the bipolar world order during the Cold War, India chose the path of non-alignment based on its global role as the third-world leader. It built on the view of "The Five Principles of Peaceful Coexistence" (Panchsheel), first signed on 28 April 1954, between Indian Prime Minister Jawaharlal Nehru and Chinese Premier Zhou Enlai, including respect for sovereignty and integrity, territorial integrity, no mutual aggression, non-interference in each other's internal affairs, equality,

mutual benefit, and peaceful coexistence. The Panchsheel agreement was considered one of the significant bases for building foreign policy with neighboring countries that India pursued after independence (Khan 2017). However, Prime Minister Nehru is particularly interested in building and strengthening international cooperation, especially among developing countries. The Indian foreign policy during this period has focused more on international relations than neighborhood relations. Therefore, as a regional country, India has only limited activities concerning security interests and its preeminent position in the region (Harshe and Seethi 2005, 204). By the time Prime Minister Indira Gandhi held office, she had argued that India's neighboring region was the supreme exclusive zone of Indian domination, that the problems in the region must be resolved bilaterally, and that external powers should have no role in the region (Mohan 2003).

After the end of the Cold War, India was forced to make significant adjustments in its foreign policy in the face of international and regional changes and internal difficulties. During this time, the achievements have brought India step by step to occupy a significant role on the strategic chessboard in the region and the world. By the way, India increasingly appreciates neighboring countries, and neighboring countries need to have an essential and priority position in planning India's foreign policy, as stated by the former Prime Minister of India, Atal Behari Vajpayee: "Friends can be changed but not neighbors" (Vajpayee 2003).

Entering the 21st century, after a decade of economic reform and transformation, India has strong economic development. It has quickly established its power to affect its influence in the region and the world (Tien 2021). On that basis, India adjusted its foreign policy toward significant countries and some regions. For the South Asian region, India has set an orientation to cooperate with neighboring countries as well as the world powers based on the aim of suppressing the growth of deeply ingrained and violent extremism in this area.

Besides, with the enormous rise of the 21st century, China has also increasingly strengthened its role and position in South Asia, associated with deeply intervening and manipulating India's neighbors through its actions related to economic and military aid and many projects such as infrastructure development projects with Nepal, debt conversion to equity capital for Sri Lanka, investment in commercial ports in Pakistan, Sri Lanka, Bangladesh, etc. (Jacob 2019). In addition, China, which is a significant factor in the conflict between India and Pakistan, considers itself an ally in all circumstances of Pakistan, leading to India's concern about losing its influence over neighboring countries to Beijing. As a result, it leads to favorable conditions for China, increasing its impact in the region (Mahesar et al. 2016).

A person who thought ahead about the close relationship with neighboring countries was former Prime Minister Inder Kumar Gujral, known for his Gujral doctrine, a policy orienting the relationship between India and its neighbors. What came to be known as the Gujral doctrine was a policy that sought friendship based on sovereign equality and non-interference, with "non-reciprocal magnanimity" towards smaller countries such as Bangladesh, Nepal, and Sri Lanka (Dixit 2015). Former PM Dr. Manmohan Singh once said, "The real test of foreign policy is in the handling of neighbors" (Haran 2017). With the foundation of the Gujral doctrine, by the time of Prime Minister Modi, the "neighbors first policy" had become a top priority in India's foreign policy, with the desire to effectively contribute to the construction and architecture to establish a stable foundation of peace and cooperation in South Asia in particular and Asia in general as a responsible power country. Prime Minister Modi and his associates clearly understand that the above strategic goals depend entirely on

India's leadership and creating a long-term position in South Asia. India's thrust for strengthening its border infrastructure is a significant effort to boost national security and complement existing ones while enabling substantial prospects for cross-border economic development and security cooperation (Chatterjee and Sharma 2020).

### The Fundaments of Modi's "Neighborhood First Policy"

After becoming the Prime Minister of India, Narendra Modi took new directions, showing distinct imprints in his policies. He has formulated his foreign policy doctrine (Modi doctrine) and introduced new pillars of India's foreign policy (*Panchamrit*), including five pillars: dignity, dialogue, shared prosperity, regional and global security, cultural and civilization linkages aimed at affirming India's position as a rising power in the world (Chaulia 2016; Sharma 2017; Ganguly et al. 2018).

In order to exert significant influence and play an essential role in multipolar world politics, India must build a close alignment between its domestic priorities and its foreign policy objectives. To accomplish that goal, Narendra Modi is pursuing vigorous regional diplomacy by engaging with neighboring countries and building political connectivity through dialogue (Das 2016, 23).

In the context of China leveraging its advantages to increase its presence and create significant influence in Asia, especially in South Asia, India has been trying to maintain, strengthen, and enhance its prestige and influence in the region. It takes measures to overcome barriers and deal with internal and external challenges. During the high-level discussion in the 69th session of the United Nations General Assembly in September 2014, Prime Minister Modi said, "The destiny of a country is linked to its neighborhood. That is why my government has placed the highest priority on advancing friendship and cooperation with neighbors" (Modi 2014). The statement argued that "neighbors are the number one priority", which is considered a bright spot in India's foreign policy.

In addition, the creation of a peaceful environment, stability, and economic integration in the region also contributes to helping India play an essential role in the new multipolar world politics by strengthening its dominant position in South Asia, preventing China's influence in the region, and expanding its sphere of influence beyond the Indian Ocean with the desire to achieve the status of great power on the main chessboard of international rule at the same time (Das 2016, 28-29). South Asia and the Indian Ocean are becoming two of the fiercest battlegrounds for India and China. Located in the center of South Asia, with a large geographical area, population, economic scale, and superior military power compared to other countries, India has always been a powerful country with strong influence in the region. However, over the past decade, China's intensifying partnerships with small South Asian countries have threatened India's number-one position. Based on China's challenges in South Asia and other countries, India must adjust its dominant foreign policy under Prime Minister Narendra Modi, one of which is the policy with neighboring countries.

PM Modi's government's "neighborhood first policy" was accepted with four elements. First, New Delhi is willing to give political and diplomatic priority to its neighboring countries and island nations in the Indian Ocean. Second, India is supporting neighboring countries (if needed) in areas such as resources, equipment, and training. Third, the most critical issue is strengthening connectivity and integration to improve the free flow of goods, people, energy, capital, and information. The fourth is to promote a model of regionalism led by India and relevant to its neighbors (Pal 2018, 223).

The contents overview shows the strategic goals in the Modi government's foreign policy; the top strategic goal is "prioritizing an integrated neighborhood - 'neighborhood first'" (Pal 2018, 223).

After the first term of implementing the new neighborly policy, "neighborhood first" (2014-2018), the relationship between India and its South Asian neighbors has undergone numerous positive changes, and the linkage sector has also been promoted. However, China's growing presence through the implementation of the Belt and Road Initiative (BRI) has directly threatened India's strategic interests. India is particularly concerned about Beijing's deployment of the China-Pakistan Economic Corridor (CPEC) to encroach on its territory and strengthen military infrastructure in Tibet to put pressure on India at the border or Bangladesh's attempt to forge closer ties with China, Pakistan, and Muslim countries as an opposing force to decrease the pressure and tension in New Delhi (Chakma 2009, 404). Realizing that the disconnection with neighboring countries is a big challenge for economic and security interests, Prime Minister Narendra Modi has emphasized strengthening connectivity with neighboring countries in South Asia and expanding inter-regional broader vision, which is the priority of India's foreign policy during his second term.

Speaking on the importance of the Indo-Pacific region at the Shangri-La Dialogue in Singapore in 2018, Prime Minister Modi emphasized India's new strategy: Connectivity is vital. It does more than enhance trade and prosperity. It unites a region. India has been at a crossroads for centuries. We understand the benefits of connectivity. There are many connectivity initiatives in the region. If these ideas become successful, we must not only build infrastructure, we must also build bridges of trust" (Ministry of External Affairs 2018). In the process of building a new foreign policy for India, South Asia also continues to be a "priority", and in the official statement, the Modi government emphasizes that "neighborhood first policy" is about connectivity, commerce, and relationships (Xavier 2020). In addition, India's periphery approach also changed to realism when New Delhi decided to realign the priorities of the neighboring regions. India's prioritization of engagement with its neighbors in the context of the growing strategic rivalry between the US and China has traditionally been seen as its sphere of influence. Delhi is letting the US keep the pressure on China in its periphery to leverage the situation to further its strategic interests (Yhome 2019). This is an integral part of a new approach in India's policy towards its neighbors placed in a new strategic space - the Indo-Pacific.

### **The Implementation of the "Neighbourhood First Policy"**

At the beginning of his first term, Modi made political and diplomatic priorities with neighboring countries due to a special invitation to the South Asian leaders to attend the swearing-in ceremony of his prime minister on May 26, 2014 (Bimstec Leaders 2019). This is seen as not only the first diplomatic activity of Modi's term but also a move to affirm the role and position of neighboring countries in India's foreign policy, marking the first run of the "neighborhood first policy". Besides, Modi's political and diplomatic priorities with neighboring countries were clearly shown when he continuously made trips to most South Asian countries after his inauguration. In 2014, Modi (2014) became the first Indian prime minister to visit Nepal in nearly 20 years. In 2015, Modi also became the first Indian prime minister to make a bilateral state visit to Sri Lanka in nearly 40 years (excluding the short visit of Prime Minister Rajiv Gandhi in 1987).



These diplomatic activities also clearly demonstrate the priority of the “neighborhood first policy” and India’s leadership role in South Asia and reshaping international relations.

Bhutan is a country that has a special relationship with India, as there are no disputes between the two countries. As the patron country of Bhutan, which is obligated to protect the country’s territorial sovereignty and is an essential strategy for India when the country is located on the Siliguri Corridor (also known as the Chicken’s Neck), Modi chose Bhutan as the first destination in a series of his visits after the inauguration. India also offers many cooperation and preferential policies for Bhutan, affirming its commitment to cooperative partnership and agreeing to promote trade and investment relations further. India has provided ₹4,500 crores to support the 12th Bhutan’s Five-Year Plan. Next, India also set a budget of ₹2,802 crores to support this country in 2019-2020 (Bhattacharjee 2019).

For Sri Lanka, one of India’s important strategic partners, the Modi government has taken many actions to improve and tighten the cold relationship with Sri Lanka under former President Mahinda Rajapaksa. During his first term, Modi visited Sri Lanka in 2015 and 2017, marking a new turning point in bilateral relations and creating a balance in India-Sri Lanka– China relations. The two-day visit of Indian Prime Minister Modi to Nepal on 3-4 August 2014 has shown India’s attempt to regain its influence in Nepal with the rise of China’s presence as well as its increasing influence in Nepal after two decades without any visit of an Indian Prime Minister to Nepal.

As an island nation in the Indian Ocean, the Maldives is strategically vital to India’s regional policy. The two countries have signed agreements in defense, taxation, tourism, mosque conservation, and space research, with a particular interest in defense cooperation actions because the security and stability of this small island nation directly impact India’s national interests. In addition, this is partly in response to China’s security cooperation with countries in the Indian Ocean to increase influence in the region.

During Modi’s tenure as Prime Minister, the importance of Bangladesh relations in India’s foreign policy is shown through the government’s policy and the points of view of policymakers and senior Indian officials (Quader 2019). Bangladesh is a strategic partner and a significant investment source for India, with many projects in electricity, railways, roads, transportation, healthcare, etc., especially in defense. India announced a credit limit of \$4.5 billion and an additional \$500 million to purchase Bangladeshi defense hardware. Bangladesh is currently at the forefront of India’s counter-terrorism strategy (Kashyap 2017).

Nowadays, India has to face security threats from Pakistan due to numerous conflicts since 1947 regarding issues such as Jand K, water sharing, Sir Creek, etc. Pakistan-India relations are central to peace and stability in South Asia (Ijar 2017, 74). The relationship between the two countries became positive when Nawaz Sharif, Pakistan’s Prime Minister, attended Modi’s inauguration as prime minister in May 2014. However, Kashmir or terrorist attacks have become barriers to bilateral relations. In its foreign relations with Pakistan, India regularly cancels dialogue meetings because of the terrorist activities considered by Pakistan against India. As a result, Pakistan does not have goodwill toward closing cross-border terrorism. In addition, India considers counter-terrorism to be at the heart of its policy, which has always prepared a solution to deal with terrorist activities. Precarious relations with Pakistan remain “a bottleneck”, and India has always been focused on the “neighborhood first policy” due to China’s raising of strategic Islamabad relations.

In addition to focusing on developing relations with neighboring South Asian countries, India's government has taken financial measures to strengthen regional connectivity. To support Indian companies winning bids for strategic infrastructure projects in neighboring countries, Delhi announced a new Concessional Finance Scheme (CFS) in 2015, extended in 2018 (Ministry of Home Affairs 2018). This program actively supports India's entrance into neighboring South Asian markets and creates fundamental relations between India and these countries to develop the economy and trade. Moreover, India has also established the Border Area Development Programme (BAPD) and the National Highway and Infrastructure Development Corporation (NHIDCL), thereby expanding the allocation of finance to develop critical infrastructure in border areas and strengthening incentives to promote cross-border economic ties (Ministry of Home Affairs 2019).

At the beginning of his second term, based on new adjustments, the Modi administration continued to accelerate connectivity with South Asian neighbors and expand to inter-regional neighbors through the strategic Indo-Pacific space. The Modi government will focus more on access and development with the countries in the Indian Ocean. India seeks deeper engagement and prioritizes the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC). It seems to be a real bridge between coastal South and Southeast Asian economies, creating a change in India's neighboring policy to strengthen cooperation among these countries and support regional cooperation to address security issues in the context of globally growing terrorism.

Therefore, after being elected to the second term in May 2019, Modi continued his "neighborhood first policy" and set out appropriate strategies to draw away neighboring countries from China's influence while enhancing India's position in the region. Modi invited BIMSTEC leaders to his second term as prime minister. It shows that he has shifted his attention to its maritime neighbors because of the increasing presence of China through infrastructure investments for countries in the Belt and Road Initiative (Roy 2019).

The Maldives and Sri Lanka, India's neighbors, have an important geopolitical position on the arterial trade routes in the Indian Ocean. These are also considered influential areas for strategic competition between New Delhi and Beijing and a significant point in the Indo-Pacific strategy. The Maldives said that it fully supported the "Maritime Silk Road - 21st Century", part of China's strategy: "Belt and Road Initiative, and shifted its economic, developmental, and diplomatic dependence on China, and became a vital cog in China's Indian Ocean plans (Dilipraj and Pampacka 2019, 3). Sri Lanka is also getting closer to China's strategy. Therefore, Modi has chosen these two countries as the first destinations on his overseas trip after re-election. In the India-Maldives Joint Statement, the two countries also agreed to strengthen coordination in ensuring maritime security in the Indian Ocean region "through the coordination of air patrols and surveillance, information exchange, and capacity building at sea" (Yến 2019). The trip is defined as a confirmation of engagement with Sri Lanka after the terrorist attacks in April. Furthermore, the agreement among Sri Lanka, India, and Japan on constructing a deep-water port in Colombo is expected to counterweight the Chinese-administered Hambantota port in southern Sri Lanka. In addition, the trip demonstrates the purpose of India's efforts to strengthen its position, expand military influence, and curb the deepening incursion of China's influence into the Indian Ocean's coastal regions.

Meanwhile, Bhutan is the only neighbor, along with India, that has rejected China's Belt and Road Initiative. In August 2019, Modi visited Bhutan to promote Indian infrastructure projects there. On his trip, Modi inaugurated the \$624 million Mangdechhu power plant, which New Delhi funded

amid plans to purchase any of the facility's surplus electricity (Stratfor Worldview 2019a). India invests in infrastructure development projects in Bhutan to prevent Bhutan from participating in China's ambitious plans and keep the country away from Beijing's influence (Stratfor Worldview 2019b).

For Nepal, the construction and inauguration of the Motihari-Amlekhgunj pipeline, the first cross-border oil pipeline in South Asia, on 10 September 2019, is seen as a New Delhi effort to increase influence in this Himalayan country (Special Correspondent 2019), where China is also making significant inroads and helping India regain its positive image not only in Nepal but also in the whole South Asia region (Karki and Har 2020). The relationship between Bangladesh and India has also undergone some positive changes. During the visit to India by Bangladeshi Prime Minister Sheikh Hasina in October 2019, the leaders signed seven treaties and three projects to enhance bilateral cooperation between the two countries (Modi 2019). In addition, India continues to support and cooperate with Bangladesh in many fields to benefit both sides and help the country get off the list of least developed countries.

Intending to connect with the region, India also focuses on infrastructure developments with neighboring countries. India has invested in constructing and expanding more than a dozen Integrated Testing Stations (ITPs) to facilitate the development of trade and traffic along its borders with Nepal, Bangladesh, Bhutan, and Myanmar. India has also signed and implemented agreements to construct inland transport routes with Nepal and Bangladesh. The number of rail connections with Bangladesh has increased from one to four routes in the stages of 2008 and 2020, and six routes are planned to be implemented in the coming period (India-Bangladesh 2019). According to a new shipping agreement, India and Bangladesh can exchange goods directly instead of connecting in Colombo or other distant seaports. In 2019, India and Nepal inaugurated the first cross-border oil pipeline in South Asia (Sharma 2019). After many years of delay, India has also provided the transportation procedure and convenient customs clearance for Nepalese goods through the country's eastern seaports. India has also aided Sri Lanka in upgrading the international airport at Jaffna, north of Sri Lanka, connecting by air with a direct flight from Sri Lanka to Southern India after more than four decades (Srinivasan 2021). In 2019, the Indian Ministry of External Affairs established an Indo-Pacific division to facilitate the development of various regional connectivity initiatives (Thakker 2019).

During the second term, the Modi administration abandoned the traditional "local" position in South Asia, with India as the sole power with interests in this region. Moreover, India switched to a new strategic approach, focusing on coordinating and promoting cooperation with powers outside the region, such as the United States, Japan, and even Russia, intending to neutralize the growing influence in the region. India has joined with Japan and the United States to form a tripartite infrastructure financing group to support infrastructure development in countries in the South Asian region. In a short time, India and Japan collaborated to build a new harbor in Colombo, Sri Lanka, to facilitate regional connectivity and external expansion (Chansoria 2018). Cooperating with the Asian Development Bank (ADB), India is implementing one of Asia's most significant multimodal connectivity projects along the East Coast and as part of the South Asia Subregion Economic Cooperation (SASEC). In Bangladesh, India is linked with Russia to develop nuclear power plants (Zakharov 2019, 26-27). Russia's presence in South Asia helps India promote regional connectivity and strengthens the strategic relationship between the two countries, which have many similarities in foreign policy.

However, the two countries are still far apart on some international issues related to the conflicts between India and China (O'Donnell and Papa 2021).

In the context of the Covid-19 pandemic outbreak, India was also severely affected. However, the Modi government remains committed to implementing the country's "neighborhood first policy" by extending support to neighboring countries. For two years, 2019-2020, India has implemented the "Aid to Nepal" program to help the country develop its economy. India is running more than 150 development projects in Nepal, accounting for 30% of the country's foreign direct investment (Mirza 2021). In 2020, India provided US\$15 million to neighboring Sri Lanka to promote many projects to strengthen the two countries' ties, focusing on developing Buddhist values. By early 2021, India had spent \$3 billion supporting 400 development projects in neighboring Afghanistan (IANS 2021). Mainly, India has actively supported Pakistan's request to buy an Indian-made Covid-19 vaccine. As a result, New Delhi's vaccine diplomacy campaign has received effective praise from the receiving governments (Chand 2021). However, at the beginning of 2021, besides the difficulties of the Covid-19 epidemic, India faced a series of troubles from neighboring countries such as Myanmar, Bangladesh, Afghanistan, and Sri Lanka (Kugelman 2021). Nonetheless, India is still making efforts with neighboring countries to avoid the outbreak of significant crises.

### The Challenges for the "Neighborhood First Policy"

Entering the second term, Prime Minister Modi's administration continues to implement the "neighborhood first policy" and considers it a top priority in the country's foreign policy. Deploying comprehensive cooperation with countries in South Asia and an inter-regional vision in the context of the Indo-Pacific will help India gain a higher position through connectivity through the process of regional integration and inter-regional association with the arterial land and maritime routes in South Asia with East Asia and the Indian Ocean with the Pacific Ocean. Therefore, the Modi government has shifted cooperation with neighboring countries on the South Asian continent to extending the countries in BIMSTEC during the second term. In his statement at the online meeting with the participation of all BIMSTEC members in April 2021, "Dr. Jaishankar reiterated India's commitment to further building the momentum of regional cooperation under the BIMSTEC framework and making the organization stronger, vibrant, more effective, and result-oriented" (MEA 2021), while initiatives under the South Asian Association for Regional Cooperation (SAARC, including Pakistan) have not made progress for several reasons. In general, implementing India's "neighborhood first policy" has achieved some positive results, promoting the connection between India and its neighbors in South Asia. However, in the new international context, PM Modi's administration will face more external and internal challenges.

The increase in China's influence through aid to developing South Asian countries is considered the biggest challenge for Prime Minister Modi's administration in implementing the "neighborhood first policy". India and China are still pursuing competitive strategies to reduce each other's regional influence. While Beijing is increasingly leaving political and economic footprints across India's sphere of influence, which makes these countries (except Bhutan) support and participate in the Belt and Road Initiative (BRI) of China, India's refusal to participate in the BRI initiative may create conditions for neighboring countries to increasingly lean towards China, leading to its increasing influence in the region.

As a result, India needs to quickly push for proactive improvement and development in existing relations with neighboring countries. In particular, improving relations with Pakistan is considered an essential factor, as this country still relies on China and the US to find economic and military support for the withdrawal from Afghanistan. Therefore, India cannot get the desired results for a peaceful, stable, and prosperous region.

For PM Modi's administration, many challenges in formulating and implementing a "neighborhood first policy" and beyond as a strategy of inter-regional connectivity with the nuclear need to be solved by the Indian government. In the next stage, PM Modi's government must focus on investing in specific areas and projects to enhance its comparative advantage over China. Specifically, India invests more in connectivity aspects, including capacity building for neighboring countries, to reduce India's protracted involvement in investment projects. It will help improve the efficiency of catalytic projects that create long-term interdependence and harmony between India and its neighbors. In addition, the strategic connectivity between India and its neighboring countries will also require economic openness and all investments in cross-border infrastructure. Some ports, roads, railways, and airports will be rendered useless if India cannot remove the barriers to trade and other existing transportation means, which significantly impedes cooperation and connectivity between India and its neighbors. In particular, India's connectivity strategy must be more extensive and more substantive towards building a robust regional integration process rather than being overly focused on security goals to prevent China's BRI. India must focus and prepare more for the commitment and work better and faster on sustainable connectivity initiatives with neighboring countries in the region.

Finally, implementing India's regional connectivity strategy must also be considered in light of neighboring countries' political, economic, and cultural sensitivities. In particular, India should avoid focusing too much on cultural factors as a common point to link the countries in the region. In fact, "India's neighbors find it difficult to endorse proposals that may suggest a re-creation of past unity" (Khosla 2014, 109). Therefore, the implementation of the "neighborhood first policy" during PM Modi's second term aimed at developing regional connectivity to assert its role as a critical player in the region, but this desire is not always shared in other neighboring countries, which are worried about relying on India by connecting outside the region, especially with China. In addition, India needs to avoid conflicts with neighboring countries, even small-scale ones, as they may weaken the "neighborhood first policy". It may lead to opportunities for China and Pakistan to strengthen their influence and diplomacy in India's backyard. Moreover, with the continuous conflicts with neighboring countries such as China and Pakistan, New Delhi could lose the critical task of playing a more prominent role in the world.

## CONCLUSION

Under Prime Minister Modi's leadership, India is actively pursuing a "neighborhood first policy" to foster more meaningful and deeper engagement with neighboring countries. This endeavor seeks to restore India's prestige, image, and influence in the region. However, successfully fulfilling these objectives and maintaining India's relationships with its neighbors will necessitate overcoming challenges posed by domestic and regional pressures.

India can leverage its soft power, explore alternative regional arrangements, and pursue new avenues for economic development to build trust and strengthen ties with its neighbors.

Prioritizing bilateral relations and facilitating their development through diplomatic initiatives, including high-level visits focused on building trust, will be critical to the success of the “neighborhood first policy”.

Additionally, regional connectivity initiatives, such as infrastructure cooperation and promoting economic linkages, should emphasize establishing common interests among the countries in the region. This approach will contribute to the overall development and prosperity of the region.

PM Modi’s administration can establish a more robust and mutually beneficial neighborly policy that benefits the entire region by prioritizing bilateral relations, facilitating diplomatic activities, and emphasizing regional connectivity, particularly in South Asia and the Indo-Pacific region.

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# KOSOVO-SERBIA DIALOGUE: FROM BRUSSELS TO OHRID

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**Abstract:** *The EU-facilitated dialogue between Kosovo and Serbia, from its inception until today, has not realized the anticipated expectations and specified goals. Despite more than a decade of diverse engagement approaches by the involved parties, the situation remained precarious. The disputing parties persisted in their respective demands. Conversely, the facilitator/mediator primarily adhered to abstractly proclaimed declarations concerning integration perspectives rather than formulating instruments, measures, and strategies that could be imperative for a final settlement. The Russian aggression in Ukraine further complicated the dialogue, elevating the significance of geopolitics in the process. This paper aims to offer insights into the Kosovo-Serbia dialogue, emphasizing key factors and circumstances crucial for stability and the EU integration of the Balkans. The Franco-German proposal, recognized as an official EU document, holds particular importance. To achieve the paper's objectives, the authors employed the methods of legal analysis, teleological analysis, description analysis, logical analysis, and comparative analysis.*

**Keywords:** Agreement; Mediation; Facilitation; EU; Proposal; Kosovo; Serbia

## INTRODUCTION

The International Court of Justice (ICJ) in 2010 issued an advisory opinion regarding the Kosovo Declaration of Independence, by which, among others, was stated that the Kosovo Declaration of Independence did not violate international law. After the ICJ advisory opinion, the UN adopted a resolution that opened the door for a dialogue between Kosovo and Serbia, which was thought to contribute to the normalization of reports between these two states. The Republic of Kosovo entered into dialogue with Serbia in order to respect the accepted obligations derived from UN Resolution A/RES/64/298, adopted on September 9, 2010. This resolution recognized the advisory opinion of the International Court of Justice regarding the Kosovo Declaration of Independence with international law. The EU managed to influence the UN General Assembly to include the EU request in the resolution so the EU would facilitate negotiations between Kosovo and Serbia to normalize relationships between these two states and help them progress in their path towards EU membership (ASHAK 2020). In order to succeed in this, “for both Serbia and Kosovo, mediation came ahead of the beginning of accession talks, with Serbia being offered the beginning of negotiations as the main reward, while Kosovo was offered a Stabilization and Association Agreement” (Bieber 2015).

In this regard, EEAS Councilor Robert Cooper initially facilitated the dialogue at the senior officials' level from March 2011 to March 2012. From October 2012, the dialogue was facilitated at the high political level by the EU High Representative for Foreign Affairs and Security Policy/Vice-President of the Commission Catherine Ashton (October 2012-November 2014) and Federica Mogherini (November 2014-December 2019) (Belgrade-Pristina Dialogue 2022).

From the beginning until now, the Kosovo-Serbia dialogue has been accompanied by many ups and downs, and its result has always been difficult to foresee. As explained below, the dialogue started differently from the international practice, where “parties first reach a legally binding agreement” (Balkans Policy Research Groups 2017, 14). Furthermore, only after that do they begin to negotiate other vital issues in a practical sense. This was not the case with the Kosovo-Serbia dialogue. Parties entered into the process of negotiations with opposite goals. Kosovo entered the dialogue as an independent state recognized by leading world democracies. Serbia entered into the dialogue, refusing to treat Kosovo as a state. EU welcomed authorization to facilitate the process, even though it had no clearly defined tracks, tools, or strategies to lead to a final agreement. Each of the subjects of the dialogue held its understanding of themes. Kosovo showed official commitment to enter into the dialogue, and this was confirmed by the Kosovo Parliament, which adopted a “Resolution for normalization of relations between the Republic of Kosovo and the Republic of Serbia” on October 18, 2012. This resolution underlined that “the results of dialogue should be in accordance with Kosovo sovereignty, its international subjectivity, its territorial integrity and constitutional system of Kosovo” (Resolution No. 04-R-08). The resolution also determined that the attitudes that achieved agreements had to be ratified in respective parliaments.

#### **LEGALLY BINDING AGREEMENT WITH MUTUAL RECOGNITION OF PARTIES: LAND SWAPPING AND NORMALIZATION OF RELATIONS**

The goals of the dialogue between Kosovo and Serbia were never clearly defined by either party or the facilitator. They were not explicitly formulated or stated. Various issues were discussed during the dialogue, ranging from the integration of the Serb minority into Kosovo institutions to the development of peace and democracy and even the possibility of a legally binding agreement with recognition at its core or land swapping. Kosovo representatives initially entered the dialogue to seek mutual recognition from Serbia, while Serbian representatives consistently opposed this and declared that Serbia would never recognize Kosovo.

Throughout the dialogue, there were instances of turmoil, primarily in Kosovo and, to a lesser extent, in Serbia. The 2013 Agreement and the Agreement on General Principles of Establishing an Association of Serb Majority Municipalities, which were reached between Kosovo and Serbia on 25 August 2015, as well as the proposals for land swaps or border corrections, were issues that faced significant opposition from the general public and led to the downfall of several Kosovo governments.

The European Union (EU) endorsed a more abstract formulation of provisions that allowed for different interpretations, contributing to the ongoing challenges and complexities of the dialogue.

Ms. Mogherini, in a letter to the Prime Minister of Kosovo, stated that the Association of Serb Majority Municipalities (ASM) would not possess any executive power. This communication occurred long after the Agreement was signed and after strong reactions were witnessed in Kosovo. However, when the topic of land swap began to emerge in various meetings, Ms. Mogherini’s opposition to the idea was not explicitly expressed. Statements such as “we approve whatever parties agree in the field” were made by influential figures from the international community, indirectly suggesting support for the idea.

Due to these ambiguities and lack of clear definition, the dialogue experienced short and prolonged interruptions. However, on April 2, 2020, Miroslav Lajčák was appointed the EU Special



Representative for the Belgrade-Pristina dialogue and other Western Balkan regional issues (EUSR). Initially, his mandate was set for 12 months, until March 31, 2021. Lajčák's appointment was seen as a positive step towards revitalizing the dialogue. In July 2020, after a 20-month break, the dialogue resumed following Kosovo's partial lifting of tariffs (Stanicek 2021). The mandate of the EU Special Representative was established as follows:

(a) As regards the core of the mandate, to facilitate on behalf of the HR the Belgrade-Pristina Dialogue in close coordination with the Member States, to work on the comprehensive normalization of relations between Serbia and Kosovo through the conclusion of a legally binding agreement that addresses all outstanding issues between the parties in accordance with international law and contributes to regional stability, and to monitor and assist as necessary the work of the parties on the implementation of past agreements reached within the framework of the EU-facilitated dialogue (Council Decision (CFSP) 2020/489, 2 April 2020).

Numerous analyses conducted by academics and various political or diplomatic entities, both at the local and international levels, have led to several general conclusions regarding the Kosovo-Serbia dialogue:

- The initial stages of the dialogue were beneficial, bringing some positive outcomes.
- However, the dialogue has not resulted in a final agreement between the parties involved.
- Over more than ten years, the dialogue has encountered increasing difficulties and challenges compared to its early stages.
- The mediator or facilitator of the dialogue was not adequately prepared and did not possess full authority to impose potential solutions, primarily due to the absence of appropriate mechanisms.
- Both parties, in different ways, have shown a lack of willingness and ability to reach a comprehensive agreement.

These conclusions reflect the overall assessment of the dialogue's progress and the challenges faced throughout its course. It highlights the need for further analysis and efforts to address the underlying issues and obstacles to achieve a comprehensive and lasting agreement.

The dialogue held in Brussels did not succeed in resolving the dispute between Kosovo and Serbia. However, it did establish channels of communication and address certain specific issues. Belgrade and Pristina now face various choices regarding their relations, and each has advantages and disadvantages. The international community, as Miroslav Lajcak stated, "is looking for a win-win solution" (Jelisavac 2023, 1).

## METHODOLOGY

This paper utilizes a combined methodology, incorporating the following methods:

- Teleological analysis: This method is employed to interpret legal norms and resources, seeking to implement goals derived from the constitution and other legal sources.
- Legal analysis: The legal analysis method analyzes legal resources such as jurisdiction, constitution, statutes, conventions, and laws. It aims to comprehend, draw conclusions, and summarize these legal resources.
- Description analysis: The description analysis method observes acts and activities during the dialogue and analyzes specific actions and activities.
- Logical analysis: The logical analysis method is used to draw conclusions based on the rules of logic. It involves interpreting legal acts based on articles and interpreting judgments provided by the Constitutional Court.
- Comparative analysis: The comparative analysis method is utilized to compare the viewpoints and opinions of authors, as well as the attitudes of states. This method also involves examining practical examples, sometimes through historical comparisons.

## AMBIGUITIES: TECHNICAL OR POLITICAL DIALOGUE

Florian Bieber (2015), citing Glaurdic and Richard Kaplan, notes, "The European Union has a considerable record of mediating in former Yugoslavia, although not always marked by success. In the 1990s, its efforts in the region largely failed - characterized by a lack of EU instruments, a lack of unity, and a lack of enforcement mechanisms and experience" (p. 7). Bieber (2015) further cites Glaurdic who stated that "in the 1990s, its efforts in the region largely failed - characterized by a lack of EU instruments, a lack of unity, and a lack of enforcement mechanisms and experience" (p. 7). Unfortunately, the lack of instruments, unity, and enforcement mechanisms continues to plague the Kosovo-Serbia dialogue today. Additionally, most signed agreements are characterized by a lack of clarity regarding their legal nature, either incomplete in standardized forms or lacking clarity regarding authorship. Furthermore, non-authorized persons have signed many agreements according to positive legislation or lack implementation mechanisms (Akademia e Shkencave dhe e Arteve e Kosovës 2020).

Nonetheless, during the entire dialogue, 38 agreements were achieved. Some were barely implemented, some were partly implemented, some were obstructed, and some had significant ambiguities. Indeed, the entire process may be treated as ambiguous - ambiguities in terms of the parties' intentions, ambiguity in the content, and ambiguity in the role the facilitator/mediator played in the dialogue process (Rahmani and Belegu 2023).

A technical dialogue turned into a political dialogue, and between October 2012 and June 2013, the negotiations shifted to a higher level, with the participation of the prime ministers of Kosovo and Serbia, Hashim Thaçi and Ivica Dačić, respectively. The first tangible agreement in December foresaw the establishment of liaison officers who would act as representatives of the two countries in their respective EU missions. While Kosovo treated this agreement as the equivalent of establishing diplomatic relations and assigned a former ambassador to the post, Serbia appointed a junior official without a diplomatic background (Bieber 2015, 21; KIPRED 2013, 1-24).



Some authors assert that countries in the dispute (Kosovo and Serbia) reached 38 agreements, while others claim 39, and so on. Broadly interpreted, all perspectives may be valid. However, the truth is that not all of them can be treated as agreements in the sense of the law on treaties. In general, there are agreements, revisions of agreements, modifications, plans for implementation, and more. The most controversial agreement signed between the two parties is the First Agreement of Principles Governing the Normalization of Relations (for establishing the Association of Municipalities with a Serb majority). This agreement emphasizes the ambiguity of the EU as the facilitator. Concerning the parties of the agreement, the term “party” is replaced with “sides”, and the formulation of Kosovo’s obligation for the Association/Community of Serb municipalities is very abstract, leading to potential misconceptions and various interpretations over the years.

It also resulted in several consequences for the mediation process, as it prevented the signing of formal agreements and treaties. Such formal agreements would have implied that both parties had equal status or that the agreement was legally binding. As noted by Nikolas Gvosdev, the agreement drew “on the time-honored principle of ‘don’t ask, don’t tell’, [leaving aside] these crucial status issues” (Bieber 2015). The agreement comprises 15 articles (First Agreement of Principles 2022). From these 15 articles, 6 pertain to the issue of the Association/Community of Serb-majority municipalities. Since its signing, this agreement has remained the “Achilles’ heel” for all Kosovo governments. None of the governments had the courage or a clear strategy on how to implement it. Governments collapsed because of the Association/Community of Serb-majority municipalities (ASM). In many aspects, the Kosovo Constitutional Court found that the ASM is not following the constitution. This agreement was ratified by the Kosovo Parliament with the majority of votes, whereas “The Serbian Assembly accepted the government report on the agreement, with 174 of the 250 members voting in favor. The Assembly did not ratify the agreement, which would have implied its international nature, a position Serbia continues to reject” (Bieber 2015). It is worth analyzing and understanding how both sides of the same agreement did not bear the same duties. The Kosovo Parliament ratified the same agreement that the Serbian Parliament did not ratify. Almost in the same line, the Serbian Constitutional Court “rejected a petition by opposition MPs to assess the constitutionality of the Brussels Agreement, arguing that it was neither an international agreement nor legally binding domestically but, rather, a political document, which does not determine the final status of Kosovo” (Bieber 2015).

On the other hand, the Kosovo Constitutional Court addressed this agreement. Kosovo’s imperative to engage in the dialogue was more pronounced compared to Serbia’s. This was due, among other reasons, to Kosovo’s isolation, the impossibility of membership in international organizations, a lack of perspective, the absence of cooperation with the West, a limited potential for Kosovo’s progress, and, ultimately, the non-implementation of aspirations expressed by the constitution for Euro-Atlantic integrations. Kosovo ratified agreements that were generally not supported. In addition to this, Professor Austin was correct when he emphasized as follows:

(...) loaded with a big number of agreements, many are asked about why Kosovo has signed a lot of bad agreements. First, elite has not an appropriate quality to negotiate. Second, governments hire and employ family members and party militants who are terribly unqualified. Third, and this is what is believed by majority that presented indictments and accusations, means that they will be doing all what

they are told to be doing by the international community, even then when these requests [by the international community] are directly against the state interests of Kosovo (Austin 2021, 295).

As mentioned, the pressure to achieve the agreement stemmed from the interests of the parties and the EU's desire to achieve facilitation/mediation results. However, whether creative or not, ambiguity did not contribute to reaching the objectives. As Nikolas Gvosdev notes, "The strength of [the] agreement, however, is also its weakness. For it to work, all sides will have to accept certain fictions" (Bieber 2015). Hence, the agreement was signed, but the parties acted differently. When difficulties arose, especially regarding the agreement's implementation, international pressure was oriented towards Kosovo. Clarifying the ambiguity was attempted as a letter to convince Kosovo to be a party to the agreement. This was exemplified by the letter sent to Kosovo's prime minister by Federica Mogherini, where she underlined:

In the context of our discussions on the establishment of the Association/Community of Serbian majority municipalities, I would like to confirm that it is the EU's understanding that the Association/Community - in accordance with the first agreement and Kosovo law - will not constitute a third level of government and will not have executive powers (Mogherini 2015).

This letter goes precisely in line with what Nikola Gvosdev stated. The strength of the Agreement lies in its weakness, and the parties accepted fictions. Why Ms. Mogherini did not raise this during the discussions before signing it is a question that requires no further explanation.

## THE PERSPECTIVES

When the dialogue began, it "started differently from international practice, where parties initially achieve an agreement, principle legally binding and then continue to negotiate technical and practical issues along with their implementation. In these negotiations, something else happened" (Balkans Policy Research Groups 2017, 15). It was interrupted. It restarted, but it never concluded with outcomes. Russian aggression in Ukraine influenced the EU's approach regarding the dialogue and its objectives. Russian aggression homogenized the democratic opinion of the West to face the political and economic consequences of this war. The Balkans were fragile even before the war; hence, it remains a concern for the EU, US, and NATO, even though dynamics changed. It was continually stated that the future of the Western Balkans belongs to the EU. This was witnessed in the Thessaloniki Summit in 2003, and this sentiment was reiterated in the Athens Summit held just recently. If an analysis of these declarations is carried out, even a superficial one, it will be found that within these ten years, only one country managed to become an EU Member State. The other countries remain candidates or countries that still lack explicit guarantees for their secure and rapid integration. In the context of the integration of the Western Balkans, it should be noted that geopolitics played a significant role. In 2003, the wars in the territories of former Yugoslavia ended (the last one occurred in the Republic of Macedonia in 2001). The US was occupied with the wars in Afghanistan and Iraq, while the EU had the necessary vision that the stabilization of Europe meant EU integration for all of the southeast part of Europe (Surroi 2023).

Back to the dialogue, in the meantime, a proposal was presented to the parties in the dispute, which was agreed upon in Brussels. However, after a very short time, one party expressed unwillingness to accept it and showed no readiness to implement it. In the overall context, and especially in recent developments (including this proposal), doubts about the objectivity and neutrality of the EU have increased, both within Kosovo and outside Kosovo. Thus, a few weeks ago, an influential group of politicians (European and US) wrote a letter requesting changes in the approach to the Kosovo-Serbia dialogue. The lack of pressure in Serbia was criticized in this letter. They state that the current approach is not functioning, and they add that “the international community should learn from our past and ensure we do not adopt a Belgrade-centered policy for the Balkans” (O’Carroll 2023). In the letter, signed by US Sen. Bob Menendez, chair of the Senate Foreign Relations Committee, and his counterparts in Germany, the UK, Ukraine, and other countries, the lawmakers said US and European Union negotiators were not putting enough pressure on Serbian President Aleksandar Vucic. The signatories include Bob Menendez, the chair of the US Senate Foreign Relations Committee; Michael Roth, chair of the Foreign Affairs Committee of the German Bundestag; and Alicia Kearns, the chair of the UK’s Foreign Affairs Committee, along with politicians from the Czech Republic, Ukraine, Ireland, Lithuania, Estonia and Iceland (The Guardian/Associated Press 2023).

### THE EUROPEAN PROPOSAL

After numerous proposals and ideas from various institutions, both official and unofficial, including non-papers, etc., a proposal known as the Franco-German proposal became the official European document intended for implementation by Kosovo and Serbia. It was agreed upon in Brussels and was expected, among other things, to be signed in Ohrid in March 2023. The “European proposal” envisions a similar model for the normalization of relations between Belgrade and Pristina, as provided in:

The Basic Treaty signed by the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR) in 1972, and it was already mentioned as a possible model in the initial phase of the normalisation process (2011-2013). The FRG never recognised the GDR as an independent state under international law, but it accepted that the GDR acted *de facto* like a sovereign state. In international law, ‘*de facto*’ refers to a state of affairs that is generally accepted as valid, even though it has not been formally recognised under international law (*de jure*) (Vulović 2023, 2).

While the EU and the US representatives took the stage and proclaimed the agreement accepted, mixed signals came from the Serbian representatives, who highlighted that nothing was signed and that only the implementation steps were agreed upon, but that is yet to be seen what the results will be. That stance led to several acts that can be seen as a breach of the agreement, including the withdrawal of the representatives of the Serbian community from the local elections held in Kosovo to delegitimize the process. Furthermore, voted against the beginning of the procedure of Kosovo becoming a member of the Council of Europe, which is in direct conflict with the article of the European agreement on the normalization process and the fact that Serbia should

refrain from any attempts to prevent Kosovo to become a member of international organizations. On the other side, Pristina representatives have still not started any process on the establishment of the self-government mechanisms for the Serb community, which was presented as a red line for Belgrade and a prerequisite for any further compromises within the normalization process (Vladislavljev 2023, 1).

The Franco-German proposal, endorsed - but not signed - by Serbian President Vucic and Kosovo Prime Minister Kurti in Ohrid on March 18, 2023, "offered a roadmap towards the normalization of relations while calling on both parties to engage in a number of confidence-building steps. Yet, while the aftermath of the Ohrid verbal agreement demanded a focus on rebuilding trust, both parties have instead engaged in actions that do the exact opposite" (Mucznik 2023, 1).

Based on international law on treaties, categorizing the Franco-German proposal is problematic. It does not fit the classic definition of an agreement between two states to be classified as a bilateral agreement. Nor is it something that can be unequivocally categorized as a legal treaty. However, theory and international practice teach us that agreements, whether signed or not, have produced effects and even duties for states. It is evident that bilateral agreements produce legal effects, but when non-implementation occurs, customary law will be applied (Kolb 2017; Berridge 2020; Bajrami 2018; Puto 2010; Merrils 2017).

On the other hand, the EU has officially announced that this proposal is an official document, even though it was not signed. Thus, this agreement is a document that carries binding power for parties, and the parties, since its agreement, are treating it differently. As soon as the Ohrid meeting was over, one party to the agreement declared that this was not binding for Serbia since it was not signed or even thought to be signed. The other party considered the agreement a good basis to be discussed in its totality and, after that, implemented. Meanwhile, the facilitator/mediator holds an unbalanced attitude. Professor Weller (2023), in this context, says:

It proves that the dialogue is being led by the current EU Facilitator in an extremely unbalanced way, as much as it endangers the continuation of the process. By accommodating Serbia's refusal to sign the Brussels Basic Agreement of February 27, 2023, the process seems to focus only on issues that the Republic of Serbia wants to discuss and that require sacrifices from the Republic of Kosovo (p. 1).

However, an explanation related to the nature of this proposal, even superficial, should be given. The EU formalized this as an official document based on the literature and international practice. When/if this is done, the document has binding power for parties. The party that refuses to implement it shall bear consequences. The party that has shown commitment to accept it should start with the implementation, which, in a way, would be an advantage. The well-known principle *argumentum ad implentium non est adimplendum* is a good guide for this case. Kosovo should commence with implementing duties that derive from the accepted proposal, and there is no need for any delay in implementation. By doing so, Kosovo will gain the advantage of asking for reciprocity. In line with this, by fulfilling duties from the document, Kosovo will be in a better position to require EU actions. This will show respect for the principle *pacta sunt servanda*.

Serbian officials continually declare that this agreement (European proposal) does not obligate Serbia, as Serbia will not sign agreements due to its non-recognition of the state of Kosovo, etc.

However, the same officials seem to forget they have indeed signed agreements with Kosovo. Additionally, they request the implementation of a signed agreement reached in 2013, displaying a double standard and a selective approach. This is similar to the double standards regarding the position it holds related to the Russian aggression in Ukraine.

Returning to the Ohrid agreement, Serbia asks for the implementation of Article 7, which deals with the issue of self-management of the Serb community. Again, the only issue raised is the issue of the Association/Community of Serb Municipalities (ASM) issue. Article 7 of the European proposal is, again, either a creative or destructive ambiguity, depending on the interpretation.

Why is there a request to implement an agreement deemed unconstitutional by the Kosovo Constitutional Court? Why design an article (Article 7) if those issues are parts of the 2013 agreement? Why request the implementation of an agreement on one side and declare that Kosovo is not asked to implement something against its constitution on the other side? Why isn't it made clear to Serbia that the agreements are binding for both parties, etc.? Many other unanswered questions may be raised when we return to the European proposal; obviously, article seven leaves room for interpretation. However, an appropriate solution may be available if dealt with carefully. A solution might come from the known *lex posterior derogat legi priori* principle.

In dealing with Article 7, Kosovo may act according to this principle. Along these lines, Kosovo shall take concrete steps to create an association of major Serb municipalities in full compliance with its constitution and alignment with the international community's requests. This means that parts of the 2013 agreement will be taken to be implemented as part of the obligations derived from the European proposal. When this is done, neither party will have the right to oppose this action and solution. These potential activities by Kosovo will demonstrate a willingness to resolve the dispute with Serbia.

In contrast, the European proposal may only serve as a path leading toward the desired final decision, which would be easier if the issue of mutual recognition is in place. Serbian President Aleksandar Vucic said "an easy fix" would be recognition but added that he would not do it (Gashi and Novaković 2020, 6). Given the attitude held by official Serbian politics, a simple question may arise: Why engage in dialogue and efforts when the outcome is known beforehand? For years, the international community asserted that the dispute would be resolved with a comprehensive agreement involving mutual recognition. Now, we are posed with the attitude of the United States supporting a solution with recognition. On the other hand, the European Union supports an agreement that concludes the conflict but does not explicitly mention recognition, mostly because five of its members do not recognize Kosovo" (Gashi and Novaković 2020, 6).

If the issue of mutual recognition continues to be postponed for a more opportune time, that better time may come too late. It cannot be foreseen. Creative ambiguity will not be a solution to the Kosovo-Serbia dispute. If the Kosovo-Serbia dispute is not resolved with a comprehensive, legally binding agreement that includes recognition as a fundamental part of the agreement, then the dialogue could potentially lead to a similar situation observed in the Oslo talks between Palestine and Israel. In that case, we would be faced with destructive ambiguity, which was rightly presented in a report as follows:

The problem with mutual recognition within the Oslo Process was that it contained 'destructive ambiguity'. This ambiguity masked large gaps in each side's conceptualization of what mutual recognition meant in practice. Rather than

providing reassurance that the zero-sum game was over, 'destructive ambiguity' heightened the sense of threat to the core objectives of both sides and thus contributed to the development of a 'spiral of insecurity' based on mutual suspicion rather than mutual trust (Rynhold 2009, 49).

Since its Declaration of Independence, Kosovo has been recognized by 115 states. This is a well-known fact that should not be neglected. Contrarily, aside from this fact, the dialogue in almost all phases seemed like a dialogue before Kosovo's independence. The West "generally ignores Serbia's transgressions, such as its campaign that has convinced at least 15 countries to 'revoke' their recognition of Kosovo, its purchase of sanctioned weapons from Russia, or its growing authoritarianism" (Kushi 2021). The European proposal (Franco-German) in Article 4 states the following: "The Parties proceed on the assumption that neither of the two can represent the other in the international sphere or act on its behalf [and] Serbia will not object to Kosovo's membership in any international organization" (Belgrade-Pristina Dialogue 2023).

Unfortunately, this article, a principle even before, has not been respected by Serbia in all dialogue phases. Having shown the commitment to respect the European proposal by acting based on the principle *argumentum inadimplenti non est adimplendum*, Kosovo should always loudly make this known and ask for reciprocity, which they should respect.

## CONCLUSION

The EU and all European states found themselves unprepared and without a clear strategy for dealing with new crises that may aggravate at any time. Like in many other crises, this organization enters, becomes involved, and prepares responses only after the problems appear. Geopolitically, despite being strong enough and having significant resources, it lacks a clear power to impact or impose solutions.

Concerning the efforts of the EU in the Kosovo-Serbia dispute, they are not deemed adequate and appropriate. In some aspects, parties are not being treated equally. The stick-and-carrot approach is not balanced, with sticks being more directed at Kosovo and carrots mainly at Serbia. The neutrality regarding Kosovo's status itself makes the dialogue more difficult. As the organization has not convinced the five EU Member States to recognize Kosovo, this weakens the EU's authority in Kosovo and beyond.

The parties to the dispute are unprepared to implement the Franco-German proposal fully. Serbia has not demonstrated any readiness to sign, indicating that it will be prepared to implement only selected parts. Kosovo has shown readiness to accept the proposal, treating it as a good basis for further phases of negotiations. The EU has not clarified how to enforce the proposal to the parties, even though it was considered an official document. Serbia conditioned everything by creating the Association/Community of Serb Municipalities (ASM) based on the 2013 agreement.

In contrast, Kosovo has expressed readiness to draft a statute of ASM based on the Kosovo Constitution, the Constitutional Court decision regarding the agreement, etc., but not as conditioned by Serbia. The EU remained in the form of declarations without being able to impose the implementation.

The EU should undergo internal changes and not act solely as a firefighter when the situation worsens. It should refrain from maintaining a neutral stance regarding the statehood of Kosovo. Furthermore, EU institutions should engage more in convincing the five EU Member States that still hesitate to recognize Kosovo as an independent state. The policy of stabilitocracy should be avoided because it has shown that in the Balkans, it does not achieve the expected results. Dealing with stabilitocracy indirectly gives more space to autocracy and autocrats. The EU should avoid dealing with creative ambiguity since, in the circumstances of the Balkans, it may turn into destructive ambiguity. Regardless of the dangerous situation with the war in Ukraine, the Kosovo-Serbia dialogue should be resolved without drawing a connection between the conflicts. Only a comprehensive agreement with mutual recognition will prevent other malign influences. Most states in the Western Balkans are oriented towards NATO and the EU. Only one state may be on the opposite side (adhering to measures). Concrete steps of implementation should accompany declarations. Concrete instruments to obligate parties should be implemented, and there should be no alternatives for an unbalanced approach.

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# PREVENTION AND DETECTION OF CRIME WITH NARCOTICS (DRUGS) IN THE REPUBLIC OF NORTH MACEDONIA

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**Abstract:** *Drug abuse constitutes a significant societal and health challenge in the Republic of North Macedonia, the broader region, and globally. The detrimental consequences, stemming from both direct and indirect effects, profoundly impacted individuals, families, and society, extending to jeopardizing state security. The paper aimed to scrutinize the implementation of the criminal legislation of the Republic of North Macedonia concerning the prevention and detection of criminality involving narcotic substances (drugs) and the penalization of offenders engaged in illegal trafficking and unauthorized production of drugs. Employing the theory of change, which centered on identifying realistic positive transformations in the short and long term, coupled with applying the statistical method, the paper offered an overview of the number of criminal offenses. This overview was based on the official statistical data the Ministry of Internal Affairs provided for 2017 to 2022. Subsequently, the paper extended its focus to international cooperation, engaging in a comprehensive discussion on preventing and detecting criminality involving narcotic substances.*

**Keywords:** *Drugs; Psychotropic Substances; Precursors; Criminal Offences; Crime Prevention; International Cooperation; North Macedonia*

## INTRODUCTION

The historical tapestry of drug and psychoactive substance use dates back to the earliest documented civilizations, with evidence suggesting their presence as far back as the ancient Sumer civilization founded in Mesopotamia. Archaeological findings in places such as Nepur reveal the existence of medical prescriptions inscribed on clays, highlighting the long-standing prevalence of this phenomenon. While the roots of drug use trace deep into history, the contemporary lens frames it as a multifaceted challenge intertwined with various societal issues, including poverty, unemployment, delinquency, prostitution, criminality, and disharmony within families. The gravity of this situation compels states to prioritize it on the national security and public health agenda, recognizing the severe threats drugs and narcotic substances pose to individuals, states, and the international system. In response to this pervasive issue, nations have undertaken legal measures, enshrining actions related to the cultivation, production, transportation, sale, and use of drugs in their laws.

The fight against drugs has transcended national borders, making it an international imperative. The United Nations, designating June 26 (since 1989) as the UN International Day against Drug Abuse and Illicit Trafficking, underscores the global commitment to ensuring the health, dignity, and safety of individuals and societies. As the fight against drugs gains momentum, this article delves

into the European landscape, drawing insights from the European drug reports. Alarming statistics reveal that despite efforts, the availability of drugs remains high, with millions of adults engaging in illegal drug use. Cocaine, in particular, has seen an alarming surge, with record-breaking confiscations indicating a growing role in Europe's drug problem.

Within this context, the Republic of North Macedonia emerges as a critical player due to its strategic position, serving as a transit country and a drug trafficking route from east to west. Criminal elements exploit the country's borders and its illegal entry and exit points, facilitating the flow of narcotic substances. Addressing these challenges, the Republic of North Macedonia has aligned itself with international conventions, committing to prevent and combat organized crime related to narcotics. This article explores the legal, social, and medical aspects of the Republic of North Macedonia's efforts to fulfill its obligations, mitigating the consequences of drug use on public health, societal order, and security.

## THE NOTION AND TYPES OF NARCOTICS (DRUGS)

The notion of "drug" can be understood in the broadest sense of the word, including substances for legal and illegal use within the pharmaceutical industry. It is supposed to be derived from Arabic, which means healing agent. The term "drug" is used for the first time in an English publication of 1327 (Medical Encyclopedia 1959, 368-369), while in the 15th century, we also encounter this term in the medical literature of France and Italy.

By the notion of "narcotic", we mean any substance that provokes a state of "numbness" or artificial sleep. This substance slows down vital functions and psychic activity and reduces sensitivity. Simultaneously, the term "psychotropic" encompasses any substance that influences the psyche by altering mental functioning and inducing changes in perceptions, mood, consciousness, behavior, and various psychological and organic functions. The term "psychotropic" denotes an action providing a direction (trope) in spirits or behavior (psycho). Generally, narcotics and psychotropic (psychoactive) substances are chemicals that impact both the human body and mind. Their usage has the potential to result in physical and psychological dependence (Harney and Cross 1975, 328).

The production of synthetic drugs and psychotropic substances is unthinkable without the use of certain chemical substances (chemicals) known as precursors. These chemicals are used in the pharmaceutical and chemical industries to produce dyes, varnishes, adhesives, synthetic materials, perfumes, and other chemicals. The precursor is any natural or synthetic substance that can be used for the production of opioid drugs and is included in the list of precursors following international conventions on the control of opioid drugs. With the International Convention of 1988, control was placed on the production and circulation of precursors in order to stop (prohibit) their misuse in the illegal production of opioid drugs and psychotropic substances, as well as due to the protection of life and health of people as and protecting the living environment from their harmful influence.

### Types of Drugs

The drug can be solid (crack), liquid (alcohol), or gaseous (inhalant). Regardless of the way they are obtained, all intoxicating drugs and narcotic drinks generally have the same effects. However, it happens that artificially obtained narcotics have a more substantial effect than natural ones.

The well-known German scientist Lewin, with the help of two French neuropsychiatrists, Deloay and Deniker, 1957 classified the drugs known until then according to the main effects that their use gave.

The World Health Organization also supports this classification, which remains the primary classification for pharmacologists (Sokoli 1999). Based on their pharmacological and psychological effects, narcotics are divided into three main groups: stimulants, hallucinogens, and depressants.

Stimulant drugs are also known as “uppers” because they manage to raise the emotional state of a person. They speed up the body’s functions, increase heart rate, body temperature, and blood pressure, dampen fatigue and exhaustion, reduce appetite, and make the user nervous. Taking large amounts of stimulants causes anxiety, panic, seizures, headaches and stomachaches, aggression, paranoia about persecution, etc. Some authors point out that stimulants are narcotics that can keep a person in a good physical and mental state when they are tired (Oakley, Hart, and Ksir 2010). At the same time, Ramaljak (2007) points out the impact that stimulants have in a particular way on the central nervous system (CNS), bringing increased inner vitality, increased intelligence, and reduced appetite. Stimulants are categorized into mild and strong.

Mild stimulants include caffeine (in tea, coffee, and cola drinks, for example, Coca-Cola), nicotine (in tobacco), and ephedrine (used in asthma and allergy medications). Of these, coffee and tobacco are used more by young people.

Strong stimulants include methamphetamine, cocaine, ecstasy, and slimming tablets (Duromoni, Tenuate Dospan, Ponderaks) (Kazdin 2000, 94-104). Young people mostly use ecstasy and cocaine.

Hallucinogenic drugs profoundly alter the perception of reality, leading users to perceive sights and hear voices that have no actual existence. Although some of these substances are synthetically produced for legal medical use, today, the majority of them are categorized as illegal drugs (Arifi 2008, 22-130). Despite certain compounds being developed for medicinal purposes, their predominant usage falls within the realm of illegal substances.

Individuals under the influence of hallucinogens may experience visual, auditory, and sensory perceptions of non-existent entities or encounter distorted realities. Common effects include emotional and psychological euphoria, heightened talkativeness, excessive laughter, sweating, panic, paranoia, loss of contact with reality, peculiar behavior, and the onset of distressing and terrifying thoughts. Noteworthy examples of popular hallucinogens encompass marijuana, hashish, hashish oil, PCP (phencyclidine), LSD (lysergic acid diethylamide or acid), ibogaine, mescaline, and scopolamine, among others.

People from various countries have historically used chemical agents to induce sleep, reduce stress, and calm anxieties. These chemical agents are known as depressants, which have been available to humans for less than 100 years (Klosterman 2006, 8). These substances affect the central nervous system, specifically the brain’s foci of wakefulness and sleep. People who are under the influence of depressants pronounce words badly, have obstacles when walking, have slow reflexes, lose consciousness, and fall into a coma. If consumed in small quantities, they give calming effects, but if consumed in large quantities, they cause deep sleep until death (Hanson, Venturellii, and Fleckenstein 2011). This group includes opium, morphine, heroin, barbiturates, methadone, inhalants, steroids, etc.



In the Republic of North Macedonia, the most used drug among the population that has used drugs at least once in their life is cannabis, and it is most often used by the young population aged 15 to 34. Among those who have used drugs in the past year, the second most used drug is ecstasy. In the group who have used drugs at least once in the past month, the second most used drug is heroin. The average age of the general population when they first used cannabis is 17.8 years old. As for other drugs, the lowest age of 13 and under when they used drugs for the first time refers to the use of cocaine and ecstasy, respectively 9.7% and 8.1% (National Strategy for Drugs of the Republic of North Macedonia 2021-2025 with Action Plan 2021-2023).

## INTERNATIONAL INSTITUTIONS AND THEIR EFFORTS TO COMBAT DRUGS AND PSYCHOTROPIC SUBSTANCES

To combat drugs and psychotropic substances at the international level, specialized institutions were established for this purpose. Although the anti-drug efforts are undergoing a shift in direction due to the perceived failure of previous repressive approaches, these international institutions now prioritize supervision of drugs, implementation of various programs, and place particular emphasis on prevention, treatment, rehabilitation, resocialization, and legalization. The overarching goal is to mitigate and reduce harm in society. Therefore, the text below will present the selected international institutions.

The United Nations Office on Drugs and Crime (UNODC) is the organization that leads the global fight against illicit drugs and international crime. The UNODC's work program is based on the following pillars: technical cooperation projects on the ground to increase the capacities of States to fight illegal drugs, crime, and terrorism, research and studies to expand knowledge about drug and crime issues, and normative work to assist States in the ratification and implementation of international treaties and the development of domestic legislation in the field of drugs, crime, and terrorism (UNODC 2023).

The cooperation of the Republic of North Macedonia with UNODC is focused on implementing the Regional Program for Southeast Europe entitled "Fight Against Illegal Trafficking and Organized Crime to Improve Governance, Justice and Security" for the period 2012-2015. The progress of the program is supervised by the Special Committee for the countries of South-Eastern Europe, which meets in Vienna twice a year. North Macedonia has fully supported UNODC's new regional project for Southeast Europe. The project has been implemented since January 2020 in Bosnia and Herzegovina, Montenegro, Serbia, the Republic of North Macedonia, and Kosovo and will last until December 2023. The UNODC program implemented in the country and region was presented with a particular reference to the joint EU and UNODC projects to promote the rule of law and good governance through targeted border and airport control measures. The joint action is envisaged following the Container Control Program of UNODC and the World Customs Organization (UNODC-WCO Container Control Programme) and the UNODC, WCO and Interpol Airport Communication Project (UNODC-WCO-INTERPOL Airport Communication Project) (Customs Administration 2022, 31).

EMCDDA is the European Union Agency based in Lisbon, which provides data on the drug situation and responses to this problem in Europe. This agency provides a high-level overview and analysis of drug-related trends and developments through reports. Their reports aim to serve states

as a valuable tool for European and national policymakers and planners who wish to base their strategies and interventions on the latest information.

EUROPOL was established with the so-called Schengen Agreement (motivated by the desire to achieve more significant progress than what has been achieved within the context of the European Union, on June 14, 1985, Belgium, the Netherlands, Luxembourg, Germany, and France signed the Schengen Agreement for the gradual removal of common border controls, while a separate Convention (June 19, 1990) or the so-called "Implementation Convention" was signed to implement this) (Racaj 2012, 80), which regulates security issues after the unification of Europe and the removal of international border controls. Its headquarters is in The Hague, and it started its work in 1999. EUROPOL's internal organization corresponds to its position as a supranational body established by international agreement (Convention). The task of EUROPOL is to improve the cooperation between the police and the governments of the Member States and to increase the efficiency in avoiding the most severe forms of organized crime, which undermines the security system in Europe. Special attention is paid to the drug trade, uncovering the clandestine migration network in the European Union, elimination of terrorism, theft and illegal trade in automobiles, human trafficking, including child pornography, counterfeiting of money (euros) in the European Union, money laundering, etc. (EUROPOL 2023). In addition to those mentioned, EUROPOL also deals with eliminating financial and criminal crimes and the most serious crimes against persons if they are involved in crimes in two or more Member States (Racaj, Dimovski, and Racaj 2021, 211).

INTERPOL plays a central role in combating international drug trafficking, considering it as a typical form of organized crime handled by well-organized international criminal organizations. The Directorate for the fight against illegal drug trafficking functions under the specialized Directorate of INTERPOL. The essential role of this sub-directorate is collecting, comparing, analyzing, and dispersing data on illegal narcotics trafficking, controlling and monitoring the situation regarding the misuse of narcotics on a global scale, coordinating international investigations, maintaining connections with the UN and its specialized agencies, as well as with other international and regional organizations involved in the fight against illegal drug trafficking (INTERPOL 2019). One of its most important activities is to serve as the primary source of drug-related professional and technical advice for the needs of the General Assembly, the INTERPOL Executive Committee, and the National Central Bureau (Nikolova 2020, 75).

The Drug Enforcement Administration (DEA), operating within the US Department of Justice, is the primary agency dedicated to combating drug trafficking. It also serves as the central entity working towards the implementation and enforcement of laws related to the control of narcotic substances.

In addition to the institutions above, other bodies are dealing with the fight against drugs, such as ECDC - European Center for Disease Prevention and Control, European Medicines Agency (EMA), World Health Organization (WHO), World Customs Organization, European School Project on Alcohol and Other Drugs (ESPAD), Core Group of Europe for the analysis of sewerage (SCORE), European Drug Emergencies Network (Euro-DEN), Reitox (European drug information network and drug addiction), UN Interregional Institute for the Study of Crime and Justice (UNICRI) Roma, UN Center for International Crime Prevention (ICCP) Vienna, International Scientific and Professional Council of the UN Program for Crime Prevention and Justice Penela (ISPAC), the International

Criminal Investigation and Training Assistance Program (ICITAP) from the US Department of Justice, etc.

The problem of illegal trade in narcotic substances nowadays shows no signs of decreasing, despite the repressive measures taken, so many countries have begun to take preventive measures in this direction in cooperation with the UN, the International Organizations for the Control of Drugs of the UN's International Drug Control Program trying to stop the production of heroin in Afghanistan and Mansari when it is known that these two countries are the largest producers of opium in the world, as the largest Afghan heroin registry is known it is Europe, with over 80% (Express Newspaper 2021).

North Macedonia cooperates with all the above-mentioned international institutions and regional countries for the prevention and detection of criminality with narcotic substances and drugs. It has ratified several international conventions in this field: the UN Single Convention on Narcotic Drugs from 1961 (supplemented by the protocol from 1972), the Convention on Psychotropic Substances from 1971, the Convention against the Illicit Sale of Narcotic Drugs and Psychotropic Substances from 1988, the European Convention on Human Rights as well as numerous other declarations, statutes, and regulations. It also has and continues to have an obligation to report to international institutions on the issue of drugs and participate in joint initiatives and actions implemented by international institutions. These relations need to be further strengthened, just like the reporting system for the current Republic of North Macedonia circumstances. The EU accession process imposes obligations regarding data management, and national capacities will need to be strengthened by establishing databases in line with international standards and producing reports using this data. The Republic of North Macedonia, a member of the Pompidou Group within the Council of Europe, actively engages in the group's efforts on prevention, treatment, and supply reduction (National Strategy for Drugs 2021-2025, 23).

## PREVENTION OF CRIMINALITY WITH NARCOTIC SUBSTANCES (DRUGS) IN THE REPUBLIC OF NORTH MACEDONIA

### The Notion of Prevention

The term "prevention" is understood as comprising two semantic parts.

First, prevention means intervention. To act in a preventive way is to intervene in some way and determine the means. Nevertheless, the essential moment in understanding prevention is summed up in the prefix "pre-". This prefix means that when it comes to prevention, it is the kind that will be done before the side effects manifest. According to this, by the notion of crime prevention, we mean the use of all means and measures that aim to prevent the occurrence of any form of criminality. This simple definition is correct, at the same time, and broad if, substantively, the problem of prevention is analyzed in the current criminological practice.

Some authors define prevention as only the activities undertaken for crime prevention by the public and local communities, not by the state police. Although in modern criminology, the notion of crime prevention most often means that the police do not act in a preventive way but in a reactive way, on the other hand, certain police activities are still meant to be preventive in nature (Milutinovic 1984). Specific authors think that prevention should not consider legal actions aimed at preventing the

occurrence of crime. However, these should be the basis for preventive actions by public opinion, bodies, and services. Thus, for example, Van Dijk (1981) defines prevention as “the totality of all political tools, measures, and techniques that are outside the criminal law system and are aimed at reducing the various types of damage caused by the actions carried out, which the state defines them as criminal actions”. Some argue that the preventive strategy should be constructed on the foundation of positive legislation. This implies that criminal laws derived from such legislation should serve as the cornerstone for any preventive strategy.

Other definitions of prevention are equally broad to the one proposed. For example, “prevention is often defined as an activity oriented towards the prevention of the mechanisms that lead to the occurrence of criminal offenses” (Racaj 2019, 113). In this approach, emphasis is placed on the mechanism, signifying that preventive efforts should be directed toward eliminating the conditions and causes that give rise to crime.

Based on this analysis, a comprehensive definition of crime prevention can be formulated, one that is broader than the previous one we provided at the beginning:

By the notion of prevention, we mean the use of all means and measures for the mobilization of individuals, social groups, organizations and institutions for the prevention of these occurrences and phenomena, which are not in accordance with criminal legislation and cause harm to individuals, social groups or society in general (Racaj 2019, 112).

In daily practice, the modern policies of many states, bodies, and social institutions act to prevent crime as special powers, which are considered carriers of this activity. These carriers of preventive activities can be many and different because they have different actions according to the manifestations from one state to another. Various bodies and institutions aim to address specific and highly significant issues de facto by engaging in the ongoing and continuous task of preventive crime suppression. This preventive crime suppression is perceived as a process for mitigating and quelling criminal influences in developing an individual’s negative character, falling within social regulation. This process necessitates the systematic organization and execution of preventive measures and actions. These measures are carried out across various facets of social life and should constitute an interconnected system. Only in this manner can they effectively prevent crime and individual deviations within different social groups. This must be an ongoing and systematic endeavor, utilizing all available tools and measures.

Prevention should be grounded in an extensive array of anti-criminal measures, which will take diverse forms and content, manifesting their attributes wherever criminogenic influences are encountered. Consequently, it can be deduced that prevention is an integral component of society’s overall social regulation system. For the prevention process to succeed, adherence to certain principles in the fight against crime is imperative, ensuring effectiveness. Some of the fundamental principles include:

- Legality;
- Humanism;
- Broad engagement of citizens and social associations in preventive activity;
- Connectivity and compatibility with the activities of all subjects in a single system of state prevention and

- The scientific basis of all preventive measures and actions undertaken (Racaj 2019, 112).

According to the National Strategy for Drugs in the Republic of North Macedonia for the period 2021-2025, drug use prevention primarily falls under the purview of the healthcare system. This is primarily accomplished through the efforts of healthcare professionals within healthcare institutions.

These professionals periodically provide lectures and education on these topics in primary and secondary schools, following a specific plan.

It is evident that the issue of systematic education, not only for young people but also for the teaching staff, has persisted for a long time. In contrast, the previous strategy failed to realize this crucial aspect of prevention within the education sector.

While some civil society organizations and youth groups have sporadically conducted educational activities in this field, these efforts are insufficient and do not encompass the entire education system. The strategy calls for a robust educational policy to discourage drug use among young people and promote a healthy lifestyle. To achieve this, the Ministry of Education and Science should collaborate with youth associations, parent councils, and other national and local organizations to develop appropriate programs.

The integration of content related to the harms caused by drug use into primary and secondary educational curricula is currently haphazard, with some content included in courses on personal development or life skills. Unfortunately, much of the existing content is stigmatizing, discriminatory, and fosters prejudice.

The new Law on Primary Education, focusing on social inclusion, and the anticipated adoption of the new Law on secondary education provide an excellent foundation for introducing age-appropriate educational content and methods for children. However, it is worth noting that the comprehensive strategy for education from 2018 to 2025 does not outline specific measures in this regard.

## DETECTION OF CRIMINALITY WITH NARCOTIC SUBSTANCES IN NORTH MACEDONIA

Fulfilling the obligations arising from international conventions and various agreements for the prevention and fight against organized crime with narcotics and the phenomenon of drug addiction as a result of the misuse and consumption of various narcotic substances or drugs and endangering the health of the population, order, and public safety.

In the Republic of North Macedonia, more laws and by-laws cover drugs and actions for the prevention of illegal drug production, illegal drug trafficking, health protection, integration of people with drug use disorders in society and similar, where the primary laws are: Law on the Control of Narcotic Drugs and Psychotropic Substances, Law on Precursors, Customs Law, Criminal Code, Law on Execution of Sanctions, Law on Health Care, Law on Social Protection, etc.

The Criminal Code of the Republic of North Macedonia defines three criminal offenses related to drugs: Article 215 "Unauthorized production and distribution of narcotic drugs, psychotropic substances and precursors" (Criminal Code of the Republic of North Macedonia, Official Gazette of the Republic of Macedonia, No. 37/96, 80/99, 04/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09 51/11 - two amendments and additions, 135/11, 185/11, 142/13, 166/12, 55/13, 82/13, and Decisions of the Constitutional Court of the Republic of Macedonia, No. 220/2000,

210/2001, 206/2003, 228/2005), Article 216 “Enabling the use of narcotic drugs” (Criminal Code of the Republic of Macedonia, Official Gazette of the Republic of Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12), and Article 217 “Serious offenses against people’s health” (Criminal Code of the Republic of Macedonia, Official Gazette of the Republic of Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12). Article 217 deals with sanctioning perpetrators of criminal offenses from the two articles above. The legislators clearly describe these articles and fall under chapter XXI of the Criminal Code named “Criminal Offenses against human health”.

The Ministry of Internal Affairs (MOI) and the Customs Directorate are responsible for detecting, verifying, and clarifying crimes related to the Criminal Code Articles 215, 216, and Article 217 related to drugs. These institutions are one of the main actors in the detection function in the processes of combating illegal drug trafficking. As a member of the inter-institutional commission, the MOI influences the creation of policies and programs for interventions related to reducing the supply of drugs. Also, the MOI has established cooperation with local and international factors regarding reporting, coordination, and exchange of best practices in combating illegal trade. Among other things, “the Customs Directorate is responsible for implementing customs control measures, investigative and intelligence measures in order to prevent, detect and investigate customs offenses and crimes” (National Strategy for Drugs 2021-2025, 31).

Police officials in North Macedonia are responsible for uncovering, proving, and clearing drug-related crimes, including narcotics-related crimes, on local and national levels, with support from other countries or international organizations globally. At the same time, police officials are responsible for maintaining law and order and public safety. Hence, it is in their competence to act in cases of violation of public law and order by persons who use drugs using drugs in public spaces and can issue misdemeanor-level sanctions and confiscation of the found drugs. The responsibilities of the police arise from the Law on Internal Affairs, Law on Police, and Law on Misdemeanors against Public Law and Order (Hadzievska 2018).

The Criminal Code articles will be detailed in the text below. An overview of the number of criminal offenses will be presented by applying the statistical method. The results will be based on the official statistical data of the Ministry of Internal Affairs of the Republic of North Macedonia from 2017 to 2022.

For the criminal offense “Unauthorized production and release into circulation of narcotic drugs, psychotropic substances, and precursors”, several serious forms are defined, for which severe criminal sanctions are foreseen. Specifically, for the production, processing, possession, purchase, sale, transportation, and trade without authorization of narcotic and psychotropic substances or precursors, the perpetrator is sentenced to imprisonment from three to ten years. This criminal offense is considered committed when the person does it only intentionally (Article 215, Penal Code of the Republic of North Macedonia, Official Gazette of the Republic of North Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12). Table 1 presents an overview of the commission of this criminal offense and its perpetrators.



**Table 1: Overview of the Criminal Offense Committed and the Perpetrators - Unauthorized Production and Release into Circulation of Narcotic Drugs, Psychotropic Substances, and Precursors (Article 215 of the Criminal Code of the Republic of North Macedonia) in the period 2017-2022 (Source: Ministry of Internal Affairs of the Republic of North Macedonia 2017-2022)**

Article 215 - Unauthorized Production and Release Into Circulation of Narcotic Drugs, Psychotropic Substances, and Precursors	2017	2018	2019	2020	2021	2022
Recorded Criminal Offences	464	673	763	628	600	643
Perpetrators of Registered Criminal Offenses	532	782	863	857	728	862

The comparative overview of committed criminal offenses from Article 215 of the Criminal Code of the Republic of North Macedonia, as well as the number of perpetrators of this criminal offense from 2017 to 2022, is presented in Table 1. According to the available statistical data, we can conclude that the number of criminal offenses is increasing, from 464 in 2017 to 763 in 2019, while the number of criminal offenses continues to decrease. However, compared to the number of criminal offenses for the five years, it is observed that the number is increasing, namely from 464 criminal offenses in 2017 to 643 criminal offenses in 2022. As for the perpetrators of criminal offenses, we can conclude that the number of perpetrators is also increasing from 532 in 2017. In 2022, the number of perpetrators increased to 862.

For the criminal offense "Enable the use of narcotic drugs" of one to five years, the person who incites another to consume narcotics or precursors or offers narcotics, psychotropic substances, and precursors to be consumed by himself or given to others for consumption, is punished any other person or will make available the space for consumption of narcotics or precursors, or in any of the other ways makes it possible for others to consume narcotics or psychotropic substances and precursors.

Consequently, this criminal offense is considered committed when it is done only on purpose. Alternative actions determine the method of execution. The most severe form of criminal offense is considered when it is committed against a minor or several persons or when it has caused severe consequences (Article 216, Penal Code of the Republic of North Macedonia, Official Gazette of the Republic of North Macedonia, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12). Table 2 presents a clear overview of this criminal offense's commission and its perpetrators.

**Table 2: Overview of The Criminal Offense Committed in General and the Perpetrators of the Criminal Offense - Enabling the Use of Narcotic Drugs (Article 216 of the Criminal Code of the Republic of North Macedonia) for the period from 2017-2022 (Source: Ministry of Internal Affairs of the Republic of North Macedonia 2017-2022)**

Article 16 - Enabling the Use of Narcotic Drugs	2017	2018	2019	2020	2021	2022
Recorded Criminal Offences	88	116	133	105	101	97
Perpetrators of Registered Criminal Offenses	97	123	141		112	

Table 2 shows that the number of criminal offenses is increasing, from 88 in 2017 to 133 in 2019, while there is a decrease in the number of criminal offenses. However, comparing the number of criminal offenses for the five years, it is observed that the number is increasing from 88 criminal

offenses in 2017 to 97 in 2022. As for the perpetrators of criminal offenses, we can conclude that the number of perpetrators over the years has also increased from 97 in 2017 to 112 in 2021. Official data on perpetrators for 2020 and 2022 is not available.

**Table 3: Total Drug Confiscation by Type and Quantity - according to Articles 215 and 216 for the period 2017-2022 (Source: Ministry of Internal Affairs of the Republic of North Macedonia 2017-2022)**

Confiscation	2017	2018	2019	2020	2021	2022
Marijuana in kg	510.18	1.532.43	9.7721	1.890	1. 869	2.973,7
Heroin in kg	1.401	1.970	0.736	16.5	6.053	2.3559
Cocaine in kg	0.263	0.586	0.8523	2.38	0.604	2.736
Cannabis Trunk in kg	0.389	0.819	0.131	0.329	1.658	20.733
Ecstasy Tablets in kg	1.187	0.472	0.409	6.543	1.586	0.349

Table 3 indicates a noteworthy trend in the confiscation of marijuana over the years. In 2017, the quantity confiscated was 510.18 kg, which has surged to 2.973,7 kg by 2022. For heroin, there has been a consistent increase in confiscated amounts over the same period, escalating from 1.401 kg in 2017 to 2.3559 grams, or 2.3 kg, in 2022. In the case of confiscated cocaine, there has been a slight increase in the quantities confiscated, rising from 0.263 kg in 2017 to 2.723 kg in 2022. Simultaneously, for cannabis trunks, we also see an increase in the quantities confiscated, with the numbers climbing from 0.389 kg in 2017 to 20.373 kg in 2022. However, when it comes to ecstasy tablets, there has been a decline in the quantities confiscated. Specifically, the figure has dropped from 1,187 kg in the initial year to 0.349 kg in 2022.

## CONCLUSION

Preventing and combating narcotic substances is, and will remain, a pressing global issue. It is a subject of extensive discussion among experts from various fields, representatives of international organizations, non-governmental organizations in North Macedonia, and numerous countries worldwide, including world leaders. The aim is to find effective solutions to address this phenomenon in society.

Successful prevention of criminal activity related to the illegal trade of narcotic substances hinges on correctly defining the goals, objectives, and means to achieve them. The development of this prevention and combat effort can be categorized into two dimensions: theoretical and practical.

The theoretical aspect of preventing and combatting criminal activity associated with the illegal trade of narcotic substances pertains to fundamental principles and the accurate delineation of theoretical concepts to prevent criminal actions. On the practical front, it extends to enacting criminal legislation and rigorously implementing it in practice. This requires that legal and penal institutions and bodies, such as courts, the prosecutor's office, and law enforcement agencies, operate professionally and efficiently.

The issue of illegal drug trade is persisting without signs of decline in today's world, despite the repressive measures that have been implemented. Consequently, many countries are now adopting preventive measures in collaboration with international bodies such as the UN and the



International Organizations for Drug Control as part of the UN International Drug Control Programme.

Numerous efforts and battles against drug abuse, both at the national and international levels, have proven ineffective. Many states have found themselves powerless in this pervasive and deeply concerning societal issue. It can be observed that the current campaign against drugs and narcotic substances is, in essence, a “losing war”. The cultivation, production, distribution, consumption, and abuse of drugs and narcotic substances continue to thrive on a global scale. In light of this stark reality, it is imperative for many nations (including North Macedonia) and international organizations dedicated to combating drugs and psychotropic substances to reassess and adapt their strategies and policies. Some countries have taken measures to “legalize” or decriminalize certain drugs, emphasizing a shift towards preventive efforts over repressive measures as a means of gaining better control over drug sales.

North Macedonia and other states and international mechanisms committed to combating this detrimental phenomenon should take a multifaceted approach to address it effectively. These measures should encompass:

- Strengthening and enforcing laws to make the punishment policy more stringent.
- Enhancing the overall human and material-technical capabilities of competent institutions responsible for detecting and preventing illegal drug trade.
- Establishing effective mechanisms for coordination and communication among competent institutions, both at the national and international levels, to combat illegal drug trade.
- Ensuring the efficient and effective functioning of courts, public prosecutions, and institutions responsible for reducing illegal drug trade, ultimately leading to a decrease in the drug supply.
- Implementing educational and preventive programs tailored to specific needs, adhering to internationally recognized criteria and standards.
- Improving the policy of punishment and the execution of sanctions for acts related to illegal drug trade.
- Enhancing material and technical capacities aligns with modern requirements and trends for preventing illegal drug trade.

When it comes to the prevention and detection of criminal activities related to narcotic substances and drugs in North Macedonia, it is essential to implement the proposals mentioned above. This is particularly significant because, based on available statistical data on criminal offenses like “the unauthorized production and distribution of narcotic drugs, psychotropic substances, and precursors” and “enabling the use of narcotic drugs”, it is evident that the number of criminal offenses and their perpetrators has been increasing over the years. Additionally, regarding drug confiscation by type and quantity, it is noteworthy that the number of confiscated quantities is also on the rise. North Macedonia must also address the cultivation of narcotic and psychotropic plants. This can be achieved through state policies aimed at improving the country’s economic and social conditions, ultimately reducing unemployment and the factors that contribute to drug and narcotic substance use. As long as there remains a demand for drugs, the issues of cultivation, production, trafficking, and consumption will persist. Therefore, the primary objective is to minimize these demands.

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**Arianit Racaj:** Conceptualization, editing.

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# FRANCE'S INDO-PACIFIC STRATEGY AND THE ROLE OF VIETNAM

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**Abstract:** *The Indo-Pacific has partially replaced the term Asia-Pacific and emerged as a geo-economic and geostrategic concept over the last decade, with Japan, Australia, the United States, and India launching their respective plans. As a resident power and a long-time partner, France seized the opportunity. In May 2018, the French Indo-Pacific strategy was initiated during President Macron's state visit to Australia and released as an official document a year later, making France the first European power to adopt such a strategy. To unveil the driving forces behind French policies and the roles of France in the region, this article employs major theories in international relations (realism, liberalism, and constructivism). In particular, the authors analyze France's tactical actions concerning like-minded partners and a rising China, addressing how France can protect its interests and amplify its leverage in the region amid Sino-American tensions. The paper specifies several differences between the French approach and other major countries. Last but not least, given the importance of the Franco-ASEAN links mentioned in Section Three of the official strategy, the article also clarifies recent developments in their relationship, focusing on the role of Vietnam in France's overall scheme.*

**Keywords:** France; Indo-Pacific, Strategy; Vietnam; Franco-Vietnam Links; Naval Deployment

## INTRODUCTION

In recent years, the term "Indo-Pacific" has gained significant attention among columnists, scholars, and politicians in the United States, France, Australia, India, Japan, and Indonesia. This term refers to a vast expanse that combines the Indian Ocean Region (IOR) and the Western Pacific Region (WP), interconnected by the South China Sea. It is seen as a strategic space for countries to pursue their military, diplomatic, and economic objectives. Although Australians have been using the term "Indo-Pacific" earlier, it is formally introduced and explained in an academic paper entitled "Security of Sea Lines: Prospects for India-Japan Cooperation", published in the January 2007 edition of Strategic Analyses journal of the Institute for Defence Studies and Analyses (IDSA), New Delhi. The Indo-Pacific idea was then used in Prime Minister Abe's remark addressed to the Indian Parliament, speaking of the "Confluence of the Two Seas" (Ministry of Foreign Affairs of Japan 2007).

The label "Indo-Pacific" replaces Asia-Pacific as a US-centric framework for regional order. In the contest to define Asia conceptually, the geographical expansion has strategic objectives: managing China's rise while also engaging the US's allies in an inclusive region. In particular, China's increasing assertiveness and the "String of Pearls" strategy launched in 2005 for its growing naval presence has concerned many regional countries, particularly the US, India, Japan, and ASEAN states. The term came to the fore under Trump's presidency in the US administration initially extended the "Asia-Pacific" to the "Indo-Asia Pacific", encompassing the Indian and Pacific oceans, especially

incorporating New Delhi - an opponent of China into the region-wide security architecture (Khurana 2017).

As the Indo-Pacific has become more strategically and economically important, countries worldwide are developing new plans to justify their intervention. In contrast, regional countries try to manage the new dynamics.

France was involved early on in the Indo-Pacific. Since the 1990s, France has engaged in high-level bilateral and multilateral dialogues such as the South Pacific Defense Ministers' Meeting or the Indian Ocean Naval Symposium and developed military partnerships via joint maritime exercises. Paris' strategic partnerships with New Delhi and Canberra represent the fruitful outcome of its longstanding diplomatic efforts.

During the Cold War, France sought to provide India with arms sales options (e.g., fighter aircraft and submarines) to reduce India's military reliance on the Soviet Union. After the Cold War, Paris became a major defense partner of New Delhi and subsequently promoted a strategic relationship between the two. France was also one of the very few supporters of India's nuclear weapons program, as President Jacques Chirac "described India's exclusion from the global nuclear order as an anomaly that needed to be rectified" (Sood 2019).

As a result of steady moves, Paris ultimately officially embraced the "Indo-Pacific" concept in 2018, making France the first EU country to adopt this notion (Morcos 2021a). Launched by "President Macron during his Garden Island speech in Sydney in May 2018, France's strategy for the Indo-Pacific has become one of its priorities for international action" (Ambassade de France en Australie 2021).

Although France's interest in Indo-Pacific strategy is not new, it reflects a more comprehensive vision of the Indo-Pacific rather than a mere change in terminology. For some researchers, it is considered part of the so-called French pivot to Asia or France's return to its past grandeur. Firstly, the French strategy used its possessions and historical insights in the Indian Ocean and Pacific Oceans to identify itself as a legitimate resident and democratic power rather than an outdated colonial power. Secondly, geopolitics enables France to project its naval force into the Northern Indian Ocean, South China Sea, and Western Pacific, thereby defending French interests and assets (territory and population, territorial waters, and exclusive economic zones), reaffirming freedom of navigation and multipolar order, and gaining credibility. Also, from another realist view, what triggered the change in terminology and added weight to France's interest in the Indo-Pacific region is undoubtedly China's arrogance, which is perceived as a threat to multilateralism and the international rules-based order. In order to implement the strategy, the French have strengthened bilateral and multilateral partnerships, especially in terms of security and defense, and given way for naval deployment.

Following Macron's visit to Australia, the former director of the Australian Office of National Assessments, Allan Gyngell, argued that "the Indo-Pacific does not exist. Like Asia-Pacific or Asia itself, the Indo-Pacific is simply a way for governments to define an international environment suited to their policy objectives in particular circumstances" (Grare 2020). In other words, the Indo-Pacific is not a predefined geographical area "in which the national strategies fit". Instead, it is the states' strategies that define and make use of the Indo-Pacific (Grare 2020). Therefore, the article seeks to unveil France's policy motives and roles in the region, adopting major theories in international relations (realism, liberalism, and constructivism). The article then elucidates France's strategic implications and practical applications by employing foreign policy analysis.



The article also highlights the distinctions of the French approach to the Indo-Pacific compared with other European members and the United States. Moreover, including Vietnam as an increasingly important partner for France and recent positive developments in their relationships will be a notable part of the research.

## DRIVERS AND ROLES OF THE FRENCH INDO-PACIFIC STRATEGY

### Realism Approach: A Realpolitik Move

#### *A Legitimate Resident Power: Protecting National Interests and Exerting Influence*

Under Macron's administration, France's Indo-Pacific policy has been built on shared geography and longstanding bilateral partnerships in the region, emphasizing "French interests". Given the geographical features, France already considers itself a "resident power" in the region and works to promote its interest. Unlike other European Member States, France is the only country that still had territories in the region, "spanning the eastern coast of Africa (Mayotte, Scattered Island and La Réunion) to the French Southern and Antarctic territories and the South Pacific (Vanuatu, New Caledonia, Wallis and Futuna and French Polynesia) to the Clipperton islands off the coast of Central America" (Wacker 2021, 3). For the French Ministry for the Armed Forces, the Indo-Pacific has a geostrategic coherence inherited from a long history. Important maritime routes run from Indonesia to Madagascar, Oman to Singapore, Japan to Australia, and China to Polynesia, connecting the largest demographic and economic bodies of the twenty-first century (Ministère des Armées, n.d). Besides, it is also home to 1.6 million French citizens. Over 90% of France's EEZ is located in the Indian and Pacific Oceans, making up the second-largest worldwide (Wacker 2021, 3).

Notably, France maintains a robust military presence in the Indo-Pacific, including 7,000 personnel, 15 warships, and 38 aircraft - more extensive than the other 26 EU Member States combined (Rej 2021; Le Corre 2021). According to the official strategy, France already managed "a network of 18 defense missions led by defense attachés, accredited in 33 countries, and about 15 liaison and cooperation officers" to "ensure geographical coverage that can monitor protection and security for French citizens and French territories" (Ministère de l'Europe et des Affaires étrangères 2021). In recent years, the French Navy's operations have escalated with frequent patrols and joint drills, amplifying France's ambition to be a real and committed player in the region.

France claims its national boundaries and assets beyond Europe, the extent to both oceans through overseas departments (*département et région d'outre-mer*), overseas collectives (*collectivité d'outre-mer*), and overseas territories (*territoire d'outre-mer*). This is reiterated in the remark by President Macron in May 2018 that France "is a great power of the Indo-Pacific across all these territories, New Caledonia, Wallis and Futuna, French Polynesia but also Mayotte and Reunion and the Southern and Antarctic Lands" (Élysée 2018). Also, Paris cited that its overseas departments (Réunion, Mayotte, New Caledonia, Polynesia) elect representatives to the National Assembly and Senate - to show that France is not a colonial power but a democratic, legitimate power in the Indo-Pacific.

*A Delicate "Équilibre des puissances" (Balance of Power)*

It is also argued that one of the reasons for France's increased commitment is China's rise. Instead of an inflexible position on China, France opts for a "balanced approach" using its military and diplomatic prominence.

France shares the US's worry about China's growing military capacity and unilateralism that may threaten French interests in the long term. Many official documents and remarks published or delivered since Macron's presidential inauguration have warned against the hegemonic ambition of Beijing. During his first state visit to China in 2018, he made clear that the Belt and Road project "cannot be those of a new hegemony, which would transform those that they cross into vassals" (Rose 2018), suggesting Europe should be cautious about its trade relations with China. In return, Chinese commentators criticized the launch of France's Indo-Pacific strategy for "following US footsteps to contain China" (Nicolas 2019). However, France does not intentionally seek any hostility that may discourage China from negotiations in the region and Europe. Unlike the US strategy, which tends to be both confrontational and overly militarized, the French perspective is neither to antagonize nor contain China. France leans towards a stable, rule-based multipolar order, supporting the free movement of people and goods, a stance shared by most countries in the region (Nicolas 2019). Amidst the height of Sino-American competition, France demonstrated prudence by avoiding deep involvement in the systematic rivalry between Beijing and Washington and steering clear of any potential marginalization in the shift towards the region.

It was not until the turbulence and death tolls caused by the Covid-19 pandemic that Macron spoke against China. In April 2020, he raised concerns about China's handling and transparency over the pandemic. In July 2020, Paris resumed its calls for an independent, international investigation into China's treatment of the Uyghur minority. In August 2020, France banned Huawei from supplying 5G equipment, promising to completely remove Huawei tech from French telecom networks by 2028 (Swanström, Duggal, and Panda 2020).

Boosting military collaboration also served as part of France's efforts to challenge China's sweeping unilateral maritime claims in the region and reassert the freedom of navigation. At the 2016 Shangri-La Dialogue, Defense Minister Le Drian mentioned security arrangements with "our partners, in particular India, Australia, the United States, Singapore, Malaysia, and Japan" (Jean-Yves Le Drian in Singapore for the 15th Shangri-La Dialogue 2016, 7). The absence of China from Le Drian's listing of "partners" was apparent. Speaking at the 2019 Shangri-La Dialogue, Defense Minister Florence Parly stressed France's willingness to protect its sovereign interests in the region and to ensure stability against competition from great powers by using its military assets and multilateral mechanisms. However, she also firmly opposed China's South China Sea militarisation, noting that the French Navy would continue to navigate more than twice a year in the sea. The decision to moor the Charles de Gaulle aircraft carrier in Singapore during the 2019 Shangri-La Dialogue also emphasizes the military component in France's strategy (Ministre des Armées 2019).

Besides, France values security cooperation with key allies and is willing to share the burden in security matters. It continues its regular naval operations via joint military exercises, training, and submarine patrols. For example, the 2018 Jeanne D'Arc five-month mission - "the deployment took place in the Indo-Pacific region, a crucial area for France and its strategic interests" (Ministre des Armées 2018), involved a particularly extended stay in South China Sea waters during June 2018,

carrying out Freedom of Navigation Operations (FONOP) near the Spratly Islands, and being tailed there by Chinese vessels (Scott 2019). In recent years, the French Navy's deployment has been particularly intense in the Indo-Pacific. Noteworthy annual events are the La Pérouse exercise in the Gulf of Bengal, the Croix du Sud exercise in New Caledonia, and French armed forces regularly participating in bilateral and multilateral exercises (the Varuna exercise with India, and the Pitch Black exercise organized by Australia).

Following the foundation of the Quad in 2018, Macron revealed his vision of a "Paris - Delhi - Canberra Axis" - a new grouping that balanced China's aggressiveness. Macron unveiled France's Indo-Pacific strategy during his speech at the Garden Island base in Sydney, signaling that Australia would become one of France's key partners in its endeavor. (Pajon 2021) Meanwhile, India is the world's second-largest market for international arms exports. Furthermore, Macron has even previously expressed his desire to replace the United Kingdom as India's "gateway" to Europe (Swanström, Duggal, and Panda 2020). Later, on September 09, 2020, India, France, and Australia inaugurated a trilateral dialogue to ensure a "peaceful, secure, prosperous and rules-based Indo-Pacific" (Ministry of External Affairs 2020).

The cooperation will bring economic benefits, such as reducing reliance on the Chinese market and creating three-way economic synergies among the partners. Also, the defense will be the trilateral's central focus for promoting stability and maritime freedom in the region where the Chinese naval presence has grown in recent years. China has also established a naval base in Djibouti (a French-speaking country) and regularly sends warships, submarines, and intelligence-gathering vessels to the Indian Ocean. In response to the security risks, France continues to organize or take part in significant exercises with the Indian and Australian Navy, including the biggest ever live fire and anti-submarine Varuna exercises with India (including their aircraft carrier, held off Reunion in 2018) in the Arabian Sea; another live fire and anti-submarine Operation Perouse quadrilateral exercises with the Australian, Japanese; or the biannual Kakadu exercises hosted by Australia (Scott 2019). In addition, the trilateral framework accelerates their links in technology (radar systems and armed vehicles) and intelligence-sharing. For India and Australia, a greater French engagement will help ease the pressure and improve the combat readiness for their forces. Although the political grouping led by France is still in progress to align its strategic vision, it seems trustworthy and attractive to small and middle Asian states in the region as they all aim to diversify their partnerships beyond the US-China competition. Undoubtedly, France has employed its offshore resources and measures to fully resume its role as a regional power and protect its sovereign interests, ensure the security of its citizens, and actively contribute to maritime stability.

## **Liberalism: Strengthen Partnerships and Institutional Setting**

### *A Credible Partner*

Since the Covid-19 outbreak, France has found little chance to reinforce important alliances as other countries choose between Beijing and Washington-led groupings. However, it strives to bolster strategic partnerships rather than withdraw from the region. France "may not be able to engage as widely, but it is likely to engage more deeply" (Paskal 2021, 26).

Regarding economic connectivity, about 18% of French imports came from the Indo-Pacific, and about 14% of French exports went to that region in 2019. Trade with the Indo-Pacific represents more than a third of French trade in goods outside the EU and is dynamic (Ministère de l'Europe et des Affaires étrangères 2021).

Regarding defense, the French strategy is based on strategic partnerships and arms agreements with countries with similar values and interests, such as Australia, India, Japan, South Korea, Indonesia, New Zealand, and Singapore. France's military collaboration is characterized by arms cooperation, enhanced information sharing, or joint maritime drills. Recent important arms deals include India's decision to purchase 36 Rafale jet fighters or Australia's contract with French shipbuilder Naval Group to manufacture 12 submarines (Morcos 2021a).

It can be seen that France's areas of cooperation are diverse. Section four of the official strategy states four pillars: security and defense; economy, connectivity, research, and innovation; multilateralism and the rule of law; climate change, biodiversity, and sustainable management of oceans, many of which overlap with its partners and allies. However, the insistence on environmental protection on the regional agenda partially distinguishes the French approach from that of its partners. It covers not only climate change and biodiversity out of moral conviction and preserve the success of the Paris Agreement but also handling of maritime environmental threats, for example, "redrawing maps, displacing populations, creating new hotbeds of tension, and affecting critical infrastructure" (Grare 2020).

### **A Proponent of Multilateral Frameworks and Multipolar Order**

Paris is a strong advocate of multilateralism as a pillar for the stability of the Indo-Pacific. French-centered mechanisms have contributed to regional architecture. France has run the annual Conference for Indian Ocean Regional Cooperation (Conférence de coopération régionale de l'océan Indien) since 2012, which gathers officials from Reunion, Mayotte and other pro-France territories. France established its functional framework, the France-Oceanic Summit (FOS), which held meetings in 2003, 2006, 2009 and 2015. It is also a founding member of the Indian Ocean Commission (IOC), established in 1982, which brings together independent Indian Ocean states. Notably, the so-called "Paris-Delhi-Canberra Axis", initiated by President Macron in 2018, held its first trilateral dialogue virtually in September 2020 (Scott 2019, 17).

A creative aspect of French policy has been to seek entry to regional dialogues through its accepted presence and legitimacy. It joined many regional forums such as the South Pacific Defense Ministers' Meeting, the Indian Ocean Rim Association, Japan's Pacific Islands Leaders Meeting (PALM), and Shangri-La Dialogues. France actively supports the increased power of the Indian Ocean Commission (IOC), especially during the 2021/2022 French presidency. Since obtaining a full membership of the Indian Ocean Rim Association (IORA), it has developed joint projects with India, Australia, and Indonesia relating to the combat against illegal fishing, the blue economy, maritime safety, and Covid-19 response. Paris also links with like-minded partners, namely the Pacific Quadrilateral Defense Coordination Group with Australia, New Zealand, and the United States, or strengthens partnerships with ASEAN Member States by co-hosting the first ASEAN-France Development Partnership Committee (AF-DPC) Meeting in March 2021. Through various groupings,

France longs to enhance regional cooperation on issues ranging from maritime security to sustainable development (Morcos 2021a).

In the meantime, France is also sailing towards the Quad Plus since France and the four Quad members joined hands for the La Pérouse naval drill in the Bay of Bengal from April 5 to 7. This group conveys a more significant regional coalition of democracies and high-level cooperation on specific challenges such as illegal maritime activities, disaster relief, and increasing Chinese military presence for a free and open Indo-Pacific (Morcos 2021b; Chaulia 2021).

### **Constructivism: Defending the Established Norm-Based Order Throughout History**

French legacies in the Indo-Pacific should be taken into consideration. Through social interactions dating back to the colonial era, France contributed to the establishment of codes of conduct and legal order in the region (especially in Indochina). The understanding gained from the long history of interaction also paved the way for the French to intervene actively and positively in the region today.

In particular, France's legal system and modern cartography provide an authentic basis for Vietnam to protect its sovereignty and the potential resolution of contemporary conflicts. As early as 1885, after the Sino-French war about Tonkin, the border with China was precisely delimited by military topographers and ratified by bilateral agreements in 1886, thus rejecting the Chinese Empire's concept of the delineated border over the vaguer notion of unprecise margins (Journoud 2016). When China seized the Paracels by force, the Vietnamese claimed against China after 1974, using universally accepted concepts such as proximity or actual and continuous occupation and valid evidence inherited from the French. Today's negotiations between China and Vietnam, as well as with other countries with claims in the South China Sea, still rely on the treaties signed by France at the end of the 19th century and, most importantly, on the archives, maps and treaties kept at the French National Library, the Ministry of foreign affairs archives, and the archives of the Ministère des Outre-Mer (Niquet 2018, 4).

Following historical insights from the colonial and immediate post-colonial period, France takes a rigid stance on territorial disputes in the South China Sea, in which any settlement must adhere to international law and avoid the use of force or unilateral decisions that may change the status quo. In an official document adopted by the French Ministry of Defense in 2018, the Spratlys are described as "claimed" by Brunei, China, Malaysia, the Philippines, Taiwan, and Vietnam, while the Paracels are "occupied by China and claimed by Vietnam" (Ministère des Armées 2018), which reaffirms its stance on maritime sovereignty in a region where France, as a former colonial power, played a major role in borders definition (Niquet 2018).

### **France's Approach and Actions in the Region**

#### *Approach*

Unsurprisingly, France's objectives for the region largely overlap with those of its allies. 80% of goods that go to the EU must transit to the Indian Ocean, so EU countries undoubtedly have a far bigger stake in freedom of navigation (Luthra 2021). The Netherlands and Germany have also

developed their policy papers on the Indo-Pacific. Having been aware of “strategic competition and increasingly restrictive military environments” (Ministère de l’Europe et des Affaires étrangères 2021, 6), France reiterates the maintenance of freedom of navigation on the sea and in the air and the enhancement of security cooperations. Safety and security implications also include countering terrorism, piracy, nuclear proliferation, trafficking of all kinds, and attacks on sovereignty (Grare 2020).

Although the Netherlands fancies itself as a driver of the cyber area or Germany focuses on connectivity, France is the only EU Member State capable of covering the strategic and security aspects of the Indo-Pacific. If you want “to be provided security, you have to look at France, you cannot look any further in the EU, frankly. The strategic and security aspect of Indo-Pacific will always driven by France”, said Mohan Kumar, Chairperson of the Research and Information System for Developing Countries (RIS) (ORF 2021). France also plays a crucial part in providing invaluable intelligence regarding counter-terrorism and piracy. It was the earliest country to post a naval liaison officer at the Information Fusion Centre - Indian Ocean Region (IFC-IOR) at the Gurgaon base established by the Indian Navy in 2018 (a key agency for keeping track of ship movements and other developments in the Indian Ocean) (PTI 2021).

Multilateralism, which involves enhancing coordination within existing international mechanisms and fostering collaboration with like-minded partners, lies at the heart of the French strategy. For France, this approach serves to uphold international order and regional security architecture while mitigating the increasing polarization. Additionally, through bilateral and multilateral dialogues, France promotes its own “models of ocean governance and maritime security” (Ministère de l’Europe et des Affaires étrangères 2021, 7).

Nevertheless, a distinct and resolute commitment to environmental protection may differentiate the French approach from its partners. France seeks to safeguard not only the achievements of the Paris Agreement but also maritime resources, addressing challenges posed by climate change, including natural disasters and climate refugees. It is the only country that uplifts the issue of the environmental dimension by integrating it into the strategy as a pillar alongside traditional political and security issues (Grare 2020; Ministère de l’Europe et des Affaires étrangères 2021).

## **Actions**

### *Naval Deployment*

Since the Indo-Pacific is primarily a maritime region, French involvement targets the protection of their possessions, particularly Exclusive Economic Zones (EEZs), through naval deployments. It is worth noting that 2,650,013 km<sup>2</sup> of EEZ based on all the scattered islands in the Indian Ocean is under French control (Scott 2019, 7). Concerning maritime security, from 2016 onwards, French navy ships have patrolled the region to enforce the freedom of navigation. Speaking in the session ‘Reflecting on France’s Indo-Pacific strategy’ held by Observer Research Foundation, H.E. Emmanuel Lenain - Ambassador of France to India, said: “We are very proud of that, and we feel it is a commitment” (ORF 2021). Indeed, France has fulfilled its commitment through joint maneuvers with the naval forces and regular excursions by warships in the region.



France's military presence comprises ongoing "sovereign forces" stationed at the French territories in the Indian Ocean (Reunion) and Pacific Ocean (New Caledonia), combined with "pre-positioned forces" in Djibouti and Abu Dhabi.

Since 2014, initial French naval deployments have expanded to the South China Sea and made clear moves near the artificial islands created by China. The frigate FS Vendémiaire and the Jeanne d'Arc group accompany the deployments. In early April 2019, during a trip from Japan to the Philippines, frigate FS Vendémiaire might draw the Chinese's attention with its transit through the Taiwan Strait, leading Beijing to dis-invite France from its naval review taking place at Qingdao later on in the month (Scott 2019). Over the past few years, French naval activities have expanded eastwards into the South China Sea, Taiwan Strait, and the Western Pacific. The 2018 Jeanne D'Arc five-month mission paid a monthly visit to the South China Sea and conducted FONOP near the Spratly Islands. Recently, the French Navy signals intelligence (SIGINT) ship Dupuy de Lôme (A759) conducted a rare transit through the Taiwan Strait (Vavasseur 2021).

The French Navy is also a frequent participant alongside other Indo-Pacific forces in regional exercises, for example, the Komodo multilateral exercise organized by Indonesia, the biannual Kakadu hosted by Australia, the biannual Southern Katipo hosted by New Zealand, and the Rimpac exercises hosted at Hawaii by the US (Scott 2019).

### *Deepening Cross-Continent Collaborations*

Given the formation of new US-centric groupings such as Quad and AUKUS, France feels the need to build up a network of reliable partners in the region on its own. Following his predecessor, President Macron has advanced its security partnerships with such outstanding players as Australia, India, and Japan and bilateral agreements with Indonesia, Malaysia, New Zealand, the Philippines, Singapore, and Vietnam, making France by far the most deeply connected European country in the Indo-Pacific today (Grare 2020).

### **Franco-Indian Partnership**

Bilateral ties between France and India have significantly warmed up. Both countries' leaders meet annually for a bilateral summit. At the most recent one held in Paris in August 2019, Macron invited Indian Prime Minister Narendra Modi to attend the G7 summit in the French city of Biarritz, where the two countries agreed on joint cybersecurity and digital technology roadmaps. Macron's visit to India in March 2018 affirmed that France is "with India for freedom of navigation in the Indo-Pacific" (Le Quintrec 2018).

They share a complementary economy and an eagerness to employ the full potential of their bilateral ties. Their cooperative agenda has extended to many issues, including trade, civil nuclear power, energy policy and climate change, maritime security, and outer space. In terms of commerce, French exports to India reached €4.23 billion in 2020, and France mainly provided airplanes, other powered aircraft, and different types of machines (Embassy of India 2021). Regarding security and defense, France and India both have grave concerns about the growing Chinese presence in the Indian Ocean; they have already set up a regular maritime security dialogue; the most recent one took place in New Delhi in November 2019 (Brattberg and Le Corre 2019). In addition,

France has expanded its defense exports to India, including an \$8.8 billion deal in 2016 to supply thirty-six Rafale fighter jets, the first of which was delivered in October 2019 (Ministère de l'Europe et des Affaires étrangères 2021). A new level of maritime cooperation has been achieved as both countries approved the Joint Strategic Vision of India - France Cooperation in the Indian Ocean Region, which was facilitated by the Reciprocal Logistics Support agreement between their two forces, paving the way for increased French use of Indian bases in the Indian Ocean. This logistics support agreement was supplemented with the arrival of the anti-aircraft destroyer FS Cassard at Mumbai in January 2019 (Scott 2019). Besides bilateral links, they also seek support from other countries for ocean governance (preparation of a roadmap is in progress) via regional Indian Ocean organizations (Indian Ocean Rim Association - IORA and the Indian Ocean Commission - IOC).

### **Franco-Australian Partnership**

Paris and Canberra have long shared common values and have fought together on many battlefields. French New Caledonia even shares a maritime border with Australia in the Southern Ocean and Coral Sea. Macron's remarkable visit to Canberra and announcement of the French Indo-Pacific strategy have symbolized enhanced relations between France and Australia. During the visit, the Vision Statement signed by the Australian Prime Minister comprised a specific section on Indo-Pacific cooperation involving "undertaking cooperative maritime activities in the Indo-Pacific in the years to come", 2019 "passage exercise opportunities with the Charles de Gaulle Carrier Group and Australian participation in Jeanne d'Arc Mission future deployments in the Indo-Pacific region" (Australian Government Department of Foreign Affairs and Trade 2018).

Both countries are deeply concerned by China's mounting adventurism across the region, and an active Franco-Australian defense cooperation would counter China. In particular, the two navies regularly organize training for scenarios such as rescue operations and armed conflict. The French-led exercise Croix du Sud, held every two years, is the most significant humanitarian assistance and disaster relief exercise in the South Pacific, involving the naval forces of Australia, New Zealand, Japan, and the United States. Both countries' navies must also fight against illegal maritime activity across the Pacific, from piracy to illegal fishing (Morcos 2021b). Moreover, Australia and France currently have a Status of Forces Agreement - which sets out how the forces of each country should operate together - but are making room for greater access to their mutual militaries. French naval ships can now maintain a permanent presence at Australian naval bases or deploy troops through Australian training bases (Galloway 2021).

However, until very recently, Canberra's brutal termination of a \$90-billion defense deal with France to supply 12 submarines and the new AUKUS alliance between Australia, the UK, and the US came as a shock for Paris and resulted in a deteriorating Franco-Australian partnership. Foreign Minister Jean-Yves Le Drian described the September 15 incident as a "stab in the back, leading to a French revision in their relations with key allies (Fathi 2021). Without a credible regional security architecture, France may find its way to Europeanize the strategy and pivot to other emerging players, for example, ASEAN states, Japan, and South Korea.



## Franco-Japanese Partnership

France regards Japan as a natural partner since they claim to be Pacific citizens and share concerns over the East China Sea. French links with Japan have been fruitful, with the Indo-Pacific at the heart of their strategic partnership. Their recent 2+@ Foreign and Defence Ministers mechanism (initiated in 2014) has emphasized France's military presence and cooperation with Japan in both oceans (Siow 2022). A maritime dialogue mechanism between the two countries was also agreed in July 2018, followed by an accord on cooperation between the French Navy and the Japanese Maritime Self-Defense Force signed in September 2018. For the first time, France joined Japan-US joint ground exercises being staged in southwestern Japan to simulate regaining control of remote islands from enemy forces in May 2021, with an eye on China and North Korea (The Asahi Shimbun 2021).

Recently, in a meeting between President Macron and Prime Minister Yoshihide Suga in Tokyo on the sidelines of the Olympic opening ceremony, they came up with a joint statement that pledged to "actively work together (...) on priority areas such as maritime security, climate change, environment and biodiversity" (Ministry of Foreign Affairs of Japan 2021, 2). It remains unclear whether Japan will join France's 'Indo-Pacific axis' as the French grouping is still in progress. Also, while the French stance is away from anti-China and escalating tensions in the region, Japan, a traditional US ally, tends to be involved in a confrontation with China.

## France-ASEAN Partnership

France has also re-entered Southeast Asia and South China Sea dynamics with "strategic partnerships" signed with Indonesia in 2011, Singapore in 2012, and Vietnam in 2013. In March 2016, the French frigate FS Provence, while crossing the Indian Ocean, conducted anti-submarine warfare (ASW) exercises with the Malaysian Navy in the South China Sea, repeated with the dispatched French frigate FS Auvergne in October 2017. In March 2018, the first meeting of the joint France - Philippines defense cooperation committee was held, with discussions on maritime security and the friendly port call of the frigate FS Vendémiaire. A year later, France sent the aircraft carrier Charles de Gaulle to the region (Opération Clemenceau) following French Defense Minister Parly's commitments in the 2019 Shangri-La Dialogue to protect freedom of navigation and counter sweeping territorial claims in the region (Scott 2019). Notably, the first ASEAN-France Development Partnership Committee (AF-DPC) Meeting virtually occurred on March 4, 2021, marking a formal and promising partnership between the two sides. The meeting sets out key areas of cooperation, for example, the Post-Pandemic Recovery Framework, human rights, cyber security, and the blue economy (ASEAN 2021).

Furthermore, in a bid to enhance its engagement in Southeast Asia, France has opted to deploy additional international technical experts and increase investment through the French Development Agency (AFD). New experts who will be deployed annually by 2023 will take charge of implementing existing projects and finding potentials "where France can bring added value". French-funded projects are expected to expand to many fields, such as the green and circular economy, vaccine research, connectivity and sustainable infrastructure, managing disasters, human rights, tourism, and culture. For the time being, "the AFD carried out 170 projects in the region for a total commitment of €3.7 billion" (Ministry for Europe and Foreign Affairs 2021, 43), including a biodiversity

hotspot protection project in Myanmar, Cambodia and Laos in progress, an epidemiological monitoring project in response to Covid-19. Concerning the environmental problems, the AFD joined other donors to promote energy transition and air quality improvement in the region (Ministry for Europe and Foreign Affairs 2021, 43).

Given the ASEAN centrality, strengthening links with the bloc is one of the priorities of the French strategy. A closer relationship with ASEAN countries, many of which have maritime disputes with China, is also a French move against China's hegemony and to increase its political presence in one of the most vibrant cooperation frameworks in the region.

In addition to strengthening established bilateral cooperation, France has placed increased emphasis on maritime security, which was a primary concern upon entering the region. Regarding a realistic view, as the third largest arms exporter worldwide, France sees benefits of maritime collaborations with major arms contracts: sales of advanced nuclear-delivered Rafale Fighter Jets to India, conventional attack submarines to India and Australia, and La Fayette frigates upgrades to Taiwan (Babones 2021). Also, as the world's largest and most powerful naval force, France is taking responsibility for preserving multilateralism and international rules-based order in and beyond French overseas assets.

### **Vietnam: An Important Partner in France's Masterplan**

Vietnam and France have a longstanding historical relationship. Contemporary ties were formalized in 1973 since the post-colonial period. However, it was not until recently that there was an overall acceleration, with the two sides proclaiming a strategic partnership in 2013.

French ties with Vietnam have been bolstered since the initiation of the French Indo-Pacific strategy, expanding into the area of security. According to the official strategy, Vietnam was mentioned as France's leading partner in ASEAN alongside Indonesia and Singapore. As France's former colony and current strategic partner, Vietnam facilitates a more significant French presence in the region, especially regarding freedom of navigation operations. At the same time, Hanoi views improving relations with Paris as part of its foreign policy objective of engaging multiple major powers and diversifying strategic partnerships, particularly with the five permanent members of the United Nations Security Council. The Vietnam-France Defense Policy Dialogue was first held in November 2016 and was followed by a second one in January 2018. Defense discussions gained fruitful results, with a new Joint Vision statement for 2018-2028 maritime cooperation and calls for open sea lanes and legal compliance (Scott 2019). Both sides had agreed to further cooperate in areas discussed, such as training, military medicine, maritime security, aviation security and safety, peacekeeping operations, and defense industrial cooperation.

France also mentioned the increasing visits by French vessels to support FONOP and Vietnam's maritime defense (Parameswaran 2018). In subsequent ministerial-level meetings, Vietnam was regarded by French counterparts as a "key partner for [its] interests in Southeast Asia and in the Indo-Pacific region" (Déplacement du Premier ministre, Édouard Philippe, au Vietnam n.d.). Besides, something might be going on behind the scenes, for example, whether Vietnam could be a potential market for French arms.

Indeed, the French did walk the talk. More warships have been touring in the region since the signing of the joint declaration. From May to June 2019, the anti-aircraft frigate Forbin conducted

a week-long visit to Vietnam, where both countries' navy crews exchanged practice sessions (Nguyen 2019). In February 2021, the French minister of defense announced that a French nuclear attack submarine had completed a patrol in the South China Sea. Another French frigate docked at Cam Ranh port for helicopter repairs in March (Haver 2021). The visits deliver an affirmative message in support of freedom of navigation in the air and at sea, which is long recognized in international law and against any assertive behaviors in the region.

Various areas of cooperation have yielded positive outcomes. Overall, bilateral trade has intensified, experiencing an average annual growth of 15.7 percent (Nguyen and Ha 2023). Vietnam has notably benefited from projects initiated by the Agence Française de Développement (AFD) in Southeast Asia, such as the implementation of a network for the collection and transmission of hydrometeorological measurements in real-time (Ministère de l'Europe et des Affaires étrangères, 2021). In 2017, Airbus sold 40 aircraft to Vietnamese airlines, and Alstom, in collaboration with Colas Rail and Thales, signed a contract valued at EUR 265 million for supplying a complete telecommunications system for Line 3 of the Hanoi metro (Roy 2017).

Transport, infrastructure, and the agri-food industry remain focal points for French investors (Shira 2018). Following the meeting between Vietnamese Prime Minister Pham Minh Chinh and President Macron on the sidelines of COP26, both sides agreed to boost cooperation for sustainable development, signing 29 cooperation agreements between the two countries' ministries, agencies, and businesses. Notably, French multinational company Thales and Vietnamese state-owned VNPT signed a Memorandum of Understanding (MoU) on technical collaboration in areas such as telecommunication satellites, smart cities, digital identity, and biometrics, as well as 5G, IoT, and cybersecurity (Samuel 2021; Thales 2021). This move illustrates France's efforts to secure market share and influence in Vietnam's security sector. Additionally, increasing French investment is believed to help reduce Vietnam's reliance on Chinese investment and create favorable conditions for business collaboration between the two countries.

Regarding the Covid-19 response, as of November 2021, France donated over two million doses of the Covid-19 vaccine to Vietnam through the COVAX mechanism, which aligns with the longstanding and successful cooperation between France and Vietnam in the medical field (UNICEF 2021).

Thus, besides economic cooperation, France - Vietnam relations since France's "pivot" to the Indo-Pacific have carried more security implications. As part of the Francophone community, with the potential to become a middle power, Vietnam helps expand France's influence and involvement in the region. Meanwhile, given France's naval superiority, its presence will exert considerable deterrence and pressure in conflict hotspots where Vietnam can enlist support in maritime disputes.

## CONCLUSION

In the coming years, the Indo-Pacific will be the major gravity of the world, given the importance of maritime trade routes linking Europe and the Persian Gulf to the Pacific. We cannot afford to have them at risk at any point. French strategy is not necessarily the result of political change. It reflects a realization of the potential threats that China's rise and the Sino-American rivalry will harm France's interests, leverage, and status, as well as an effort to prevent possible marginalization in gravity toward Asia.

For France, defending its national interests, preserving its maritime sovereignty, and a rules-based order are uppermost when entering the region. Its official Indo-Pacific strategy document also emphasizes the role of a “mediating, inclusive and stabilizing power” in the region. Aside from echoes of the colonial era, France has 8,000 troops and a modern nuclear-powered aircraft carrier to back its plan (Maślanka 2021). Besides security implications, climate change, sustainable development, and ocean resources governance are given greater attention in the grand strategy, bringing about a less egocentric, more humane, and responsible France.

On a personal level, the inauguration of the French Indo-Pacific strategy also reflects Macron’s desire to revive France’s great power status. The French leader declared France to be an Indo-Pacific power alongside China, the US, India, and Japan and stuck to the new European catchphrase of “strategic autonomy”. For Macron, echoing de Gaulle’s policy of grandeur would also help him to restore the faith of an increasingly disillusioned population concerning low approval ratings and the Gilet Jaunes protests (Qi Siang Ng 2019).

France is the first EU country to embrace the notion of Indo-Pacific and launch the regional strategy. The French plan tends to be independent of European counterparts since they do not share the equal interest in the region. As Europe tends to adopt a relatively lenient stance on China, and the U.S. takes a more assertive approach, France has chosen a distinct path by adopting a strong position towards China without actively seeking confrontation. In contrast to the strategies pursued by Germany and the Netherlands, which appear to be adaptations to the strategic pivot, French policies are “based on shared geography and longstanding, carefully cultivated, bilateral relationships” (Paskal 2021). On the other hand, France serves as a bridge between the EU and the Indo-Pacific and tries to harmonize the EU strategy with its own. It has promoted the increased presence of the EU in regional fora, for example, by establishing a strategic partnership with ASEAN in December 2020. Alongside Germany and the Netherlands, France has contributed to drafting the European Union’s Indo-Pacific strategy. It engaged other European naval forces in maritime patrols; for instance, ships from Italy, Portugal, and Denmark accompanied the Charles de Gaulle on its mission in 2019 (Morcos 2021a).

However, France’s pivot towards the region remains fragile due to its lack of financial means and human resources. A sluggish economy combined with a rising budget deficit has impeded a more ambitious policy (Huger and Raj 2021). French defense mechanism across the Indo-Pacific through its naval deployments and naval diplomacy may not be fully operational due to financial constraints on defense budgets and shipbuilding programs at home. Furthermore, the production of a second aircraft carrier was canceled in 2013, leaving France dependent on only one left, the nuclear-powered aircraft carrier Charles De Gaulle, which limited the French deployment capability (Scott 2019).

It is no wonder that France’s remarkable presence helped unfold the region’s geopolitical dynamics and challenge the Chinese hegemony. The strategy also portrays France as a responsible and prestigious power and paves the way for more profound interventions in the region.

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# DATA PROTECTION AND PRIVACY AS A FUNDAMENTAL RIGHT: A COMPARATIVE STUDY OF BRAZIL AND INDIA

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**Abstract:** *This paper aimed to analyze how Brazil and India faced the challenge of a large amount of personal information being exchanged, stored, and analyzed. The relevance lies in the fact that data protection and privacy were concepts discussed almost everywhere in the world since the era of Big Data highlighted the challenge of protecting these fundamental rights. Therefore, the research problem was to analyze to what extent these countries effectively faced the challenge presented. The methodology used was exploratory and hypothetical-deductive. As a result, it was identified that the rights to privacy and personal data were not absolute and had to be balanced with other social interests, such as public security, law enforcement, and freedom of expression. It was concluded that inspired by international standards on the subject, such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the General Data Protection Regulation (GDPR) of the European Union, both countries had legislative protection over these rights and a framework to address them. The legislation provided fundamental principles, but only time will show their effectiveness.*

**Keywords:** Data Protection; Privacy; Fundamental Rights; Brazil; India

## INTRODUCTION

Concern about privacy and data protection is not something new in society. Over the years, several normative acts have been drawn up to protect them, starting with the Universal Declaration of Human Rights of 1948 (UDHR), which expressly provides, in Article 12, that “no one shall be subject to interference in his private life”.

Subsequently, in the 1970s, countries in Europe, such as Germany, France, and others, began to have regulations restricting data use, starting a movement on the topic. In 1980, the issue became part of the agenda of an international organization, such as the Organization for Economic Cooperation and Development (OECD).

The topic evolved until it reached the European Parliament and the Council of the European Union, which regulated it in 2016 but came into force in 2018, serving as a reference for numerous countries. Therefore, this article aims to analyze how Brazil and India are facing the challenge of the large amount of personal information exchanged, stored, and analyzed. The relevance lies in the fact that data protection and privacy are concepts discussed almost everywhere in the world since the current era of Big Data highlights the challenge of protecting these fundamental rights.

To this end, an exploratory and hypothetical-deductive methodology will be used to identify the legal basis and definitions of privacy and data protection. It will then address these themes in India and Brazil.

## LITERATURE REVIEW

Recognizing data protection and privacy as fundamental rights is crucial to safeguarding individual autonomy, dignity, and personal space in an increasingly interconnected world. That is why the connection of data protection and privacy to fundamental rights, a quintessential constitutional law concept, is essential to be established. The person has these rights towards the state, linking it to their freedom and human dignity (Bonavides 2020, 575-576).

In a multidimensional view, it is also considered a human right (Sarlet 2009, 29). It is also related to informative self-determination, which protects the personality of citizens, especially in an information society (Mendes 2021, 69). This protection expresses the freedom and dignity of the person, and it cannot be accepted or tolerated that someone's data is used as a surveillance tool. This right should resemble the promise made by the King to the gentlemen in the year 1215, in the then Magna Carta. Before, the prohibition was imprisonment or torture. Currently, this physical body must be taken to the electronic one so that the inviolability of the individual in the electronic dimension is guaranteed (Rodotà 2008, 19).

This recognition of data protection as an autonomous fundamental right binds public authorities and private entities (Sarlet 2009, 365). As a result, the data subject's right to choose whether or not to disclose them, including their information, manifestations, and individual preferences, is directly linked to the constitutional right to privacy (Tavares 2020, 551).

Therefore, this binding of the public authorities means that specific actions are forbidden, and there must be legal resources to make them effective (Silva 2020, 189). There will be negative state competencies, and the state must abstain or not interfere with the legally guaranteed individual autonomy (Sampaio 2013, 562). This is what is called "negative protections", which is protection by prohibitions (Alexy 2015, 234).

## METHODOLOGY

This research was based on an exploratory methodology to identify how Brazil and India have faced the challenges of privacy and data protection. Initially, it addresses the legal foundations and definitions, highlighting the international panorama, the impact on society, challenges, and future directions. When dealing with the countries researched, the legislation in force and its key principles were considered, and the comparative study was concluded.

## LEGAL FOUNDATIONS AND DEFINITIONS

The foundation of data protection and privacy as fundamental rights can be traced back to various legal instruments. The European Convention on Human Rights (ECHR), specifically Article 8, acknowledges the right to respect for private and family life, home, and correspondence.

This forms the bedrock upon which data protection principles are built. Furthermore, the General Data Protection Regulation (GDPR), effective within the European Union (EU), enshrines the right to protect personal data as a fundamental right, emphasizing the need for consent, purpose limitation, and accountability.

## International Legal Framework

Besides the documents mentioned above, several generic international law documents have laid down much emphasis on the right to privacy over some time. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR) underscore the significance of privacy. Article 12 of the UDHR emphasizes that “no one shall be subjected to arbitrary interference with his privacy”. In contrast, Article 17 of the ICCPR asserts the right to be free from “unlawful or arbitrary interference with [one’s] privacy”. The emergence of the digital landscape prompted the United Nations to emphasize the importance of online privacy, advocating for protecting personal data across borders. Such internationalization has further complicated the matter, even though it has built a solid framework (Wisman 2018, 118-19). The US has also developed the American Convention on Human Rights, which deals with the said issue (Paes 2017, 225-35).

In 1980 the Organization for Economic Cooperation and Development (OECD) issued Guiding Principles on the Protection of Privacy and Cross-border Flows of Personal Data. In 1981, the Council of Europe issued Convention 108, which dealt with the protection of people concerning the automated processing of personal data, being the international instrument that is legally binding in the field of data protection, having as one of its objectives strengthening privacy protection in the digital space.

In 2016, the European Parliament and the Council of the European Union issued Regulation (EU) 2016/679 on the protection of natural persons, the processing of personal data, and the free movement of such data. It was called GDPR, whose entry into force took place on May 25, 2018. This regulation inspired legislation in several countries, including Brazil and India.

## The Impact on Society

Recognizing data protection and privacy as fundamental rights has profound implications for society. As individuals share more information online, the risk of misuse and unauthorized access to personal data intensifies. Fundamental rights provide a legal framework to ensure that personal data is treated with the utmost care, limiting its collection and processing to specific, legitimate purposes. This is particularly relevant in sectors such as healthcare and finance, where sensitive data is involved.

## Balancing Rights and Interests: The Individual vs. the State Debate

While data protection and privacy are essential, they are not absolute rights and must be balanced against other legitimate interests. Law enforcement and national security concerns may require limited intrusion into privacy for public safety. Striking the right balance is a challenge that legal systems grapple with, emphasizing the need for proportionality and due process.

## Enforcement and Accountability: Best Examples

Local administration and government policies are pivotal to the success of a data protection regime (Stoica 2021, 96-111). Robust enforcement mechanisms are crucial to ensure the efficacy of

data protection and privacy rights. Regulatory bodies, such as the Information Commissioner's Office (ICO) in the UK, are pivotal in overseeing compliance with data protection regulations. Moreover, the GDPR introduced stringent penalties for violations, reinforcing the accountability of data controllers and processors. These are some examples of relatively successful data protection policies.

## Challenges and Future Directions

The digital landscape continues to evolve, presenting new data protection and privacy challenges. Emerging technologies like artificial intelligence and the Internet of Things (IoT) generate unprecedented amounts of data, necessitating adaptability in legal frameworks. The concept of data ownership, consent mechanisms, and the applicability of these rights beyond national borders are areas that require ongoing deliberation.

Data protection and privacy are fundamental rights that are pivotal in upholding individual autonomy and dignity in the digital age. Legal instruments such as the ECHR and GDPR provide the foundation for these rights, while international agreements emphasize their global significance. The balance between these rights and legitimate interests is vital, ensuring a just and secure society. As technology advances, the continual evolution of legal frameworks and enforcement mechanisms remains imperative to safeguard these fundamental rights.

## The Concept of Data Protection: Balancing Privacy and Innovation

In the era of rapid technological advancement and digital transformation, the concept of data protection has gained paramount importance. As personal information is increasingly collected, processed, and utilized across various sectors, safeguarding individuals' privacy while fostering innovation has become a delicate challenge. This article delves into the intricacies of the concept of data protection, its legal foundations, principles, challenges, and its role in maintaining a harmonious equilibrium between privacy and technological progress.

## The Concept of Data Protection

The concept of data protection is grounded in several fundamental principles that guide its implementation. Consent remains a cornerstone, necessitating that individuals provide informed and voluntary consent for processing their data. The purpose limitation principle ensures that data is collected for specific, legitimate purposes and not repurposed without further consent. Data minimization mandates that only necessary and relevant data be collected, limiting the potential for privacy intrusion. Data controllers are further bound by the principles of accuracy to maintain accurate records and storage limitation to retain data only for as long as necessary. It is a social, economic, and legal concern (Byhovsky 2017, 235-55).

The principles of integrity and confidentiality oblige data controllers and processors to ensure the security and protection of personal data from unauthorized access or breaches. Additionally, data subjects are granted rights such as the right to access, rectification, erasure, and portability, enhancing their control over their personal information.



## Challenges and Emerging Issues

While the concept of data protection serves to empower individuals and regulate data handling practices, it faces multifaceted challenges. The balancing act between privacy protection and technological innovation is a delicate one. Striking the right equilibrium necessitates adapting regulations to evolving technologies without compromising fundamental rights.

As discussed earlier, the advent of big data, artificial intelligence (AI), and the Internet of Things (IoT) has intensified data processing capabilities. However, these advancements also raise concerns about the potential for extensive profiling, discriminatory algorithms, and potential breaches. Additionally, cross-border data flows have complicated enforcement, as differing national laws create jurisdictional challenges.

## Future Directions

As technology continues to evolve, the concept of data protection must adapt to new challenges and opportunities. Striking a balance between innovation and privacy will require technological-neutral regulations to accommodate unforeseen developments. Harmonizing international standards is crucial to addressing cross-border data protection issues and facilitating seamless data flows while upholding individuals' rights.

## PRIVACY

Privacy is a fundamental human right that encompasses the ability of individuals to control and safeguard their personal information, activities, and spaces from unwarranted intrusion or exposure by others, including the government and private entities. It is crucial in maintaining personal autonomy, dignity, and individuality in the digital age.

## Historical Evolution of Privacy

The notion of privacy has evolved, influenced by societal, cultural, and technological changes. Ancient civilizations recognized the importance of personal boundaries, which is evident in legal and philosophical texts from Greece and Rome. However, the modern understanding of privacy took shape in the late 19th and early 20th centuries, spurred by legal scholars such as Warren and Brandeis, who articulated the right to be let alone. The concept gained prominence with the Universal Declaration of Human Rights (UDHR) in 1948, recognizing the right to privacy as an inherent human entitlement (UDHR Article 12).

## Aspects of Privacy

Privacy encompasses several dimensions, including informational privacy, bodily integrity, territorial privacy, and communication confidentiality. Informational privacy involves the right to control personal data and determine its usage. This is particularly relevant in the digital era, where data breaches and surveillance challenge this aspect of privacy. Bodily integrity protects individuals



from invasive procedures and medical examinations without consent, while territorial privacy safeguards the sanctity of one's physical spaces. Communication confidentiality ensures that individuals can engage in private conversations without unwarranted interception.

## Challenges in the Digital Age

As discussed earlier, the digital revolution has reshaped privacy dynamics, bringing benefits and challenges. While technology has facilitated communication and access to information, it has also led to unprecedented data collection and surveillance. Social media platforms, smart devices, and online services often collect vast amounts of personal information, raising concerns about consent, data security, and potential misuse. Government surveillance programs, justified on national security grounds, have sparked debates about the balance between security and individual privacy. It has imbibed the features of a cross-jurisdictional concept (Lee 2010, 165-200).

### *Balancing Privacy and Other Interests*

Privacy rights are not absolute and must be balanced against other societal interests, such as public safety, law enforcement, and freedom of expression. Courts often analyze proportionality to determine whether privacy infringements are justified in specific cases. For instance, the right to privacy may be restricted when necessary to prevent crime or protect national security.

## Emerging Legal Issues

Emerging technologies like artificial intelligence (AI), biometrics, and facial recognition raise novel privacy concerns. AI algorithms processing personal data may lead to automated decision-making that impacts individuals' lives without transparent explanations. Biometric data, such as fingerprints and facial scans, offer convenience but can be exploited for surveillance or identity theft. Striking the right balance between technological advancements and privacy protection is an ongoing challenge for legal frameworks.

## DATA PROTECTION AND PRIVACY IN INDIA: A BRIEF OVERVIEW

Data protection and privacy have become paramount concerns in the modern digital age, where vast amounts of personal information are processed, stored, and exchanged. In India, the legal framework governing data protection has changed significantly in recent years to address these concerns. This brief overview explores the critical aspects of data protection and privacy in India, focusing on the regulatory landscape and legal safeguards.

### Data Protection Legislation

India's data protection landscape has evolved with the Personal Data Protection Bill (PDPB) 2019 introduction. The PDPB aims to provide individuals greater control over their data while imposing obligations on entities handling it. It draws inspiration from international norms, particularly

the European Union's General Data Protection Regulation (GDPR), to establish principles for data processing, consent, and rights of data subjects. The recent emergence of a digital economy is also a factor that plays in the favour of legislation (Duraismami 2017, 166-87).

### *Key Principles*

The PDPB outlines several fundamental principles that underpin data protection in India. These include transparency, purpose limitation, data minimization, accuracy, storage limitation, and accountability. The legislation requires organizations to specify the purpose of data collection and obtain explicit consent from individuals. Additionally, data collectors must ensure data accuracy and limit storage duration to the minimum necessary for the specified purpose.

**Consent and Individual Rights:** The PDPB emphasizes obtaining informed and affirmative consent from data subjects. Individuals must be adequately informed about the purpose and nature of data processing before providing consent. Furthermore, the legislation grants individuals various rights, such as the right to access their data, rectify inaccuracies, erase data under certain circumstances ("right to be forgotten"), and restrict processing in specific situations.

**Cross-Border Data Transfers:** The PDPB acknowledges the importance of international data transfers for businesses and incorporates provisions for such transfers. It empowers the Indian government to prescribe safeguards for cross-border data transfers to ensure adequate personal data protection, aligning with GDPR's provisions for data transfers to non-EU countries.

**Data Protection Authority:** To oversee and enforce data protection provisions, the PDPB establishes an independent regulatory body known as the Data Protection Authority of India (DPA). The DPA is responsible for monitoring compliance, investigating breaches, and imposing penalties for violations of data protection obligations.

**Challenges and Criticisms:** While the PDPB represents a significant step towards enhancing data protection in India, it has also faced criticism. Some stakeholders have raised concerns about the balance between individual privacy rights and the interests of businesses. Additionally, the effectiveness of enforcement mechanisms and the autonomy of the DPA have been subject to debate.

In conclusion, data protection and privacy have gained prominence in India's legal landscape with the introduction of the Personal Data Protection Bill 2019. This legislation incorporates fundamental principles such as transparency, consent, and individual rights, aligning India's data protection framework with international norms. Establishing the Data Protection Authority of India reinforces the country's commitment to safeguarding personal data in an increasingly digital world. However, ongoing discussions and potential amendments underscore the complexity of balancing privacy rights and business interests.

However, as we write this article, the Digital Personal Data Protection Bill, 2023, is about to be tabled in the Indian Parliament. The Bill outlines the key provisions of the Data Protection Bill, emphasizing its applicability to digital personal data collected within and outside India, the requirement for lawful processing with consent, obligations of data fiduciaries, individual rights, the establishment of a Data Protection Board, and certain exemptions for government agencies.

The Bill talks about the following issues:

- **Exemptions and National Security:** The exemption for data processing by the state on grounds of national security might lead to excessive data collection and processing, potentially infringing upon the fundamental right to privacy. The broad scope of these exemptions raises concerns about the balance between security and privacy.
- **Lack of Regulation for Harms:** The Bill does not address potential harms arising from the processing of personal data, leaving individuals vulnerable to risks like identity theft, data breaches, and unauthorized usage. The absence of comprehensive regulations to mitigate these risks weakens the data protection framework.
- **Missing Rights:** The Bill does not grant individuals the right to data portability (the ability to transfer their data from one service provider to another) and the right to be forgotten (the right to delete personal data under certain circumstances). The absence of these rights limits individuals' control over their data.
- **Transfer of Personal Data:** While the Bill permits the transfer of personal data outside India, the evaluation of data protection standards in recipient countries might be inadequate. This could potentially compromise the security and privacy of individuals' data.
- **Data Protection Board Appointments:** The short two-year term for members of the Data Protection Board, with the possibility of reappointment, could impact the independence of the Board. A longer term might be more conducive to ensuring the Board's autonomy in overseeing data protection matters.

In summary, the Data Protection Bill's highlights underscore its aim to regulate the processing of personal data within and outside India, focusing on consent, fiduciary obligations, and individual rights. However, the key issues and analysis point out potential shortcomings such as broad exemptions for government agencies, inadequate regulation of data processing risks, the absence of specific rights for data principals, and concerns about the independence of the Data Protection Board. Addressing these concerns would be crucial to creating a robust and balanced data protection framework that safeguards individuals' privacy rights in the digital era.

## DATA PROTECTION AND PRIVACY IN BRAZIL: A BRIEF OVERVIEW

In Brazil, data protection and privacy are fundamental rights provided in the Federal Constitution of 1988. Protecting these rights has been a major challenge since the hyper-connectivity because not only people but things are also connected. Below, a brief overview of how the country regulated these rights will be presented, as well as some examples of cases of affront to them, which were decided by the Judiciary.

### Privacy and Data Protection

Brazil's privacy and data protection landscape is in the Federal Constitution 1988. Article 5, X, provides for the inviolability of intimacy and private life. However, not only the Constitution, the Brazilian Consumer Protection Code (Law No. 8078/90), in article 43, § 2, provides that the opening of personal and consumption data must be communicated in writing to the consumer. The Civil Code of 2002, in article 21, provides that the private life of the natural person is inviolable.

In turn, Federal Decree No. 7, 962/2013, by the Republic president, which deals with contracting in electronic commerce, requires suppliers to use effective security mechanisms for payment and processing of consumer data (Article 4, VII). In 2014, Law No. 12,965 came into effect, establishing principles, guarantees, rights, and duties for using the Internet in Brazil. It expressly protects privacy (Article 3, II) and personal data (Article 3, III), the latter following the law.

In 2018, inspired by the European Union's General Data Protection Regulation (GDPR), Brazil published its General Personal Data Protection Law (LGPD in Portuguese). After several regulatory changes, the law entered into force in different periods. In December 2018, it was Chapter IX, which deals with the National Data Protection Authority (ANPD); on August 1, 2021, administrative sanctions (chapter VIII); and, in August 2020, 24 (twenty-four) months after their publication, the other articles.

Article 1 expressly provides that the Law aims to "protect the fundamental rights of freedom and privacy and the free development of the personality of the natural person". Article 2 of the LGPD lists several grounds for data protection, including respect for privacy (I); informative self-determination (II); the inviolability of intimacy, honor, and image (IV); human rights, the free development of personality, dignity and the exercise of citizenship by natural persons (VII).

Chapter I deals with preliminary provisions (Articles 1 to 6); II, the processing of personal data (articles 7 to 16); III, the holder's rights (Articles 17 to 22); IV provides for the processing of personal data by the public authorities (Articles 23 to 32); V, on the international transfer of data (Articles 33 to 36); and VI, of personal data processing agents (Articles 37 to 45).

Chapter VII deals with safety and good practices (Articles 46 to 51); VIII, inspection (Articles 52 to 54); IX, from the ANPD and the National Council for the Protection of Personal Data and Privacy - CNPD - (Articles 55 to 59); and X, the final and transitional provisions (Articles 60 to 65).

Article 5 of the LGPD, in its XIX paragraphs, presents several concepts, highlighting what is considered personal data, sensitive personal data, anonymized data, anonymization, and consent, among others. The CNPD holders and their alternates were appointed by Decrees issued on August 9 and September 8, both in 2021. Participation in the CNPD includes representatives from the executive branch, civil organizations, scientific and technological innovation institutions, union confederations, and business and labor sectors.

In the context of this evolution, in 2020, the Federal Supreme Court, in the Direct Action of Unconstitutionality No. 6387/Federal District, decided that data protection is an autonomous Fundamental Right. In that action, the device of Provisional Measure 954/2020, which provided for the sharing of personal data of telecommunications companies with the Brazilian Institute of Geography and Statistics (IBGE), was questioned, which was considered unconstitutional.

With this, data protection conquered a new perspective, as it has been raised to constitutional status. However, on February 10, 2022, the Federal Constitution of 1988 was amended and began to provide this protection as a fundamental right expressly. As a result, data protection becomes expressly in the constitutional mandate as a fundamental right.

## Key Principles

The LGPD outlines several fundamental principles that underpin data protection in Brazil. Article 6 provides that personal data processing activities must observe good faith and the following

principles: I) purpose; II) suitability; III) need; IV) free access; V) data quality; VI) transparency; VII) security; VIII) prevention; IX) non-discrimination; and X) accountability and accountability.

Consent and Individual Rights: Article 7 of the LGPD emphasizes the cases in which the processing of personal data may occur, starting with the holder's consent. There is also the fulfillment of a legal or regulatory obligation by the controller, the protection of the life or physical safety of the holder or another person, among other hypotheses.

Cross-border data transfers: The LGPD expressly allows for international transfers of personal data to occur. In the cases provided, there is what provides that it can only be transferred to other countries or international organizations that provide a degree of protection of personal data adequate to what the Brazilian law provides and other possibilities (Article 33).

Data Protection Authority: Item XIX conceptualizes the ANPD, defining it as a public administration body or entity responsible for overseeing, implementing, and supervising compliance with the LGPD throughout the country (Article 5, XIX). The ANPD's regimental structure and position framework were approved by Federal Decree No. 10, 747, of August 26, 2020. The central body for interpreting the law establishes the rules and guidelines so that the LGPD and the National Data Protection and Privacy Policy can be implemented. The Federal Government provides information on its website, such as its composition, service channels, documents, and publications.

Challenges and Criticism: While the PDPB represents a significant step towards improving data protection in India, it has also faced criticism. One of the significant challenges of this protective law is its effectiveness, as the country has a continental dimension, with inequalities between regions. The more structured federal states have better conditions to implement the law, while the others will face major challenges.

In conclusion, data protection and privacy have constitutional status as fundamental rights. The Civil Rights Framework for the Internet, 2014, already addressed something about this, but the topic gained more attention with the LGPD. As it is a recent norm, there are many challenges to be faced, which will be overcome with the adequate infrastructure of the state and the effective performance of the control bodies and the ANPD, with due accountability of the violators of the norm.

The Bill talks about the following issues:

Exemptions: The exemption for data processing by the state for reasons of public security, national defense, state security, or activities of investigation and repression of criminal offenses may generate excessive data processing, which, to some extent, may infringe the fundamental right to privacy. Of course, these questions the ethical limit of its use.

Civil Liability for Damages: The LGPD provides sanctions for violators of the rule, but there is a discussion about civil liability, whether objective or subjective. First, liability occurs, regardless of intent or fault, if damage and a causal link exist. In the second (subjective), intent and guilt are evaluated.

Absent Right: The LGPD does not grant individuals the right and right to be forgotten, and this absence limits individuals' control over their data. Transfer of Personal Data: While the Bill permits the transfer of personal data outside India, the evaluation of data protection standards in recipient countries might be inadequate. This could potentially compromise the security and privacy of individuals' data.

Data Protection Board Appointments: The two-year term of office of the Data Protection Board members, with the possibility of reappointment, raises two questions. The established time can compromise its independence in the face of the short term, but, on the other hand, the renewal can positively impact the renewal of ideas and proposals.

In summary, the LGPD highlights indicate a broad normative field, structuring the ANPD, the CNPD, and the other bodies. There is a provision for sanctions for non-compliance, which only time can be evaluated as effective or not. The law came into force in 2020, the year the pandemic began, the moment that expanded the digital age, making people more vulnerable to hacker actions. Several cases of data leakage were reported, both in the public and private spheres. Therefore, only an adequate supervisory and civil liability system will be able to curb future infringing practices.

## CONCLUSION

Data protection and privacy are fundamental rights in the contemporary digital age due to the large volume of data and information that travels between people and things. This fundamentality confers constitutional status to these rights, which are essential to guarantee the individuality and dignity of the person.

The Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) provide the right to privacy. However, the current era of Big Data gives new perspectives to this right, expanding to protect personal data. As a result, the world began to have specific legislation on the subject, gaining more significant influence from the GDPR, which came into force in 2018 and influenced several countries, including Brazil and India.

The comparative analysis of Brazil and India's right to privacy and protection concluded that both have protective norms to guarantee them. As the GDPR inspired them, they have a National Data Protection Authority, with a National Data Protection Council, in addition to other bodies. Because they are recent, the Indian law is from 2019, and the Brazilian one is from 2018. Only time will allow us to evaluate the effectiveness of these rules.

Both countries anticipate exceptions in applying the protective law, one of which pertains to national security. This exception lies within a realm of subjectivity that can potentially make individuals vulnerable.

With this, the role of control bodies is highlighted to avoid undue invasion of privacy and data in the name of supposed security.

Finally, both foresee privacy and data protection as fundamental, with adequate norms for facing the challenges of the contemporary world. However, guaranteeing the effectiveness of these norms requires a strengthened inspection system and an adequate accountability system, both administrative and civil.

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# SOUTH KOREA AND THE INDO-PACIFIC STRATEGY: FROM STRATEGIC AMBIGUITY TO STRATEGIC AUTONOMY

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**Abstract:** *Despite being urged and called upon by the United States to develop an Indo-Pacific strategy since 2017, South Korea showed signs of reluctance until the end of 2020, only officially announcing its strategy in 2022. This article aimed to clarify the reasons for South Korea's ambiguity from 2017 to 2020 and the factors behind its transformation in the subsequent period. Utilizing the comparative analysis method and autonomous strategic theory, the article argued that South Korea shifted from a "strategic ambiguity" to a "strategic autonomy" to reduce dependence on China and the United States, asserting its position as a middle power. The results showed that before 2020, challenges from North Korea and economic relations with China made South Korea cautious about participating in the Indo-Pacific strategy. However, staying on the sidelines risked isolating it within the US alliance network. Meanwhile, concessions created opportunities for China to extend its influence over South Korea, even in cultural and social domains. Based on this, the article concluded that South Korea's shift in approach to the Indo-Pacific region was necessary to affirm its middle power status.*

**Keywords:** *Indo-Pacific Strategy; South Korea; US-Korea Relations; Strategic Ambiguity; Strategic Autonomy*

## INTRODUCTION

South Korea is known as a middle power, characterized by many famous technology brands and the leading entertainment industry in the region. Economically, this country ranks third (after China and Japan) in East Asia, thirteenth among developed industrial countries, sixth in foreign exchange reserves, and second in the world in shipbuilding (Thúy 2020). Regarding security and politics, South Korea is one of the two key allies of the United States in Asia (along with Japan), contributing to the formation of the security structure in the region. Since its introduction in 2017, the Free and Open Indo-Pacific Strategy (FOIP) promoted by the United States (US) has garnered significant attention. While South Korea is geographically situated within the Indo-Pacific region and possesses vested interests in the strategic arc, its response to the FOIP has been somewhat ambiguous. This trend changed significantly in the middle of 2021 when the South Korean government had more proactive interactions and substantial commitments to the region. The hallmark of this change is the strategic document "Strategy for a Free, Peaceful, and Prosperous Indo-Pacific Region", announced by South Korea in December 2022. It officially marks the end of its vagueness.

This article aims to elucidate the changes in South Korea's approach to the Indo-Pacific region, explaining why, during the period 2017-2020, Seoul exhibited some hesitation in engaging with the US's Free and Open Indo-Pacific strategy. It also aims to show why, post-2020, the country has assumed a more proactive role in the region.

## LITERATURE REVIEW

Research on South Korea's strategic ambiguity or strategic autonomy in the Indo-Pacific region has been addressed in various works. In the article "South Korea and France's Indo-Pacific Strategies: Potential Partnership and Challenges", Kang (2021) predicts that South Korea will transition from an ambiguous strategy to an autonomous strategy upon the official announcement of its Indo-Pacific strategy. However, according to her assessment, in the near future, it will be challenging for South Korea to participate in the US-led Freedom of Navigation Operations in the South China Sea, given the current stance shaped by influential factors within the country. Choe Wongi (2021), in the article "New Southern Policy - Korea's Newfound Ambition in Search of Strategic Autonomy", discusses South Korea's strategic autonomy through the New Southern Policy (NSP) - a foreign policy initiative stamped by President Moon Jae-in, launched in 2017. Wongi argues that the NSP represents Seoul's aspirations as a middle power to attain greater strategic autonomy by shouldering larger international responsibilities and roles - which it considers will be commensurate with its position and capabilities in the global community. In this regard, Seoul has endeavored to diversify its foreign economic relations, redirecting its diplomatic efforts towards Southeast Asia and beyond, concurrently fostering proactive cooperation within the region. However, Seoul's ambitions as a regional middle power have been significantly hindered as the country sidesteps sensitive strategic issues from the "pillar of peace" of the NSP to minimize the risk of being drawn into the quagmire of US-China strategic competition. Instead, Seoul prioritizes development cooperation to leverage its own developmental experiences.

Meanwhile, Seoul's collaboration with Washington's Indo-Pacific strategy is limited to a bilateral basis. Seoul only engages with the US in non-sensitive areas such as development cooperation and non-traditional security. For this reason, Choe Wongi assesses that South Korea's operational space is severely restricted compared to the sense of responsibility expected of a regional middle power that the country imposes on itself. Based on this, he recommends that Seoul should expand the "pillar of peace" of the NSP beyond non-traditional security issues while adopting a more balanced and proactive stance in participating in regional strategic and security matters.

South Korea's policy ambiguity continues to be mentioned by Kim (2023) in the article "Fitting South Korea in the United Kingdom's Indo-Pacific tilt". She asserts that South Korea has the potential to become a more significant partner. However, this depends on the extent to which the country is willing to venture far beyond its comfort zone and integrate into the transforming regional architecture. Kim explains the strategic ambiguity of South Korea, noting that while the US alliance provides security assurances, South Korea remains reliant on its economic relationship with China and requires China's support for its policies regarding North Korea. Therefore, South Korea must avoid overtly aligning itself with any particular side. The retaliatory economic measures implemented by China against South Korea after the deployment of the Terminal High Altitude Area Defense (THAAD) missile defense system by the US in South Korea serve as a crucial reference point in explaining South Korea's initial hesitation in embracing concepts such as the Free and Open Indo-Pacific.

Also, looking at South Korea in the space of US-China strategic competition, Maduz, L. (2023), in the article "Explaining Korea's Positioning in the US-China Strategic Competition" (Maduz 2023), describes the stance of President Moon's administration in the period 2017-2022 as "side-choosing avoidance", "equivocation" or "strategic ambiguity". South Korea resisted immediate appeals

from the United States to participate in the 5G Clean Network initiative and to exclude Huawei equipment from its telecommunications networks. Additionally, the Moon administration refrained from officially endorsing the 2017 US Free and Open Indo-Pacific Strategy (FOIPS) and resisted becoming a part of the Quadrilateral Security Dialogue alliance (Quad). Concurrently, South Korea demonstrated an ongoing interest in and endorsement of China-led economic governance structures by expressing openness to join the Belt and Road Initiative and participating in the recent Regional Comprehensive Economic Partnership (RCEP) of 2020. In the meantime, during President Yoon's era, South Korea is poised to strengthen its ties with the United States, showcasing a fresh approach markedly different from the approach during former President Moon's tenure, which was criticized for being hesitant, passive, and leaning towards China. However, Maduz cites the perspectives of several analysts, suggesting that it is unlikely for Yoon to deviate from the previous model. A publicly confrontational stance with China and North Korea has simply never been part of the South Korean government's scenario since the end of the Cold War.

Continuing to discuss the New Southern Policy (NSP) and South Korea's middle power role, John V. Jojin (2023), in his work "South Korea's New Southern Policy and the Middle Power Quest: Implications for India-Korea Relations", posits that in the midst of escalating regional dynamics among major powers, the NSP reflects South Korea's assertion of middle power influence, characterized by a pursuit of regional autonomy and influence. The NSP stemmed from a motivation to diminish Korea's reliance on major powers and enhance its standing as a bilateral partner by pursuing a diversification strategy in economic and diplomatic endeavors. However, John V. Jojin believes that South Korea's ambiguity about the concept of the Indo-Pacific and its ignorance of geostrategic and security issues are a limitation to South Korea's promotion of its relations with India.

In general, all works acknowledge or imply South Korea's policy towards the Indo-Pacific region as a means to enhance its strategic autonomy. Previously, Seoul's ambiguity was perceived to be influenced by China, and some authors believe that South Korea will demonstrate stronger "autonomy" under President Yoon. However, none of those mentioned above works has systematically clarified the transition in South Korea's approach to the Indo-Pacific region from "strategic ambiguity" to "strategic autonomy". Building upon existing literature, this article will analyze the issue comprehensively, elucidating the reasons for South Korea's shift from "strategic ambiguity" to "strategic autonomy", examining practical actions that reflect South Korea's policy, and assessing the impacts.

## METHODOLOGY

On the backdrop of the research question: "What is South Korea's policy towards the Indo-Pacific region?", this article hypothesizes that South Korea has transitioned from a "strategic ambiguity" in the pre-2020 period to a "strategic autonomy" from 2020 onwards. This shift reflects an increased commitment to the security issues in the region, aimed at affirming South Korea's role as a middle power. Through the strategic autonomy theory lens, the authors will verify this assumption while elucidating the motives behind South Korea's shift in approach.

The concept of strategic autonomy has been gaining prominence, particularly in discussions concerning America's allies, implying the independence of these nations from the United States. While its precise connotation remains somewhat elusive, it is commonly interpreted as a nation's capacity to

pursue its interests and objectives autonomously, minimizing reliance on external actors or influences (IDSA 2015).

According to the strategic autonomy theory, autonomy is a fundamental requirement for a state's survival and success in the global arena. States that are overly dependent on other actors, such as powerful nations or international organizations, may face limitations in their ability to pursue their interests and may be vulnerable to external pressure or coercion. This theory also recognizes the importance of power and influence in the global system and the role of regional integration.

On the one hand, states with greater economic, military, and diplomatic power are more likely to be able to achieve strategic autonomy. In contrast, weaker states may face greater challenges in asserting their independence. On the other hand, regional integration can provide a framework for states to enhance their strategic autonomy by pooling resources and leveraging collective power. In light of the theory of strategic autonomy, the author will clarify Korea's motivations for building its Indo-Pacific strategy, increasing its commitment to the region in terms of power, self-interests, and national identity.

## **SOUTH KOREA AND THE US INDO-PACIFIC STRATEGY FOR THE PERIOD 2017-2020**

### **South Korea's Strategic Ambiguity**

As a trading nation, about 99.7% of South Korea's energy and commodity resources are transported via maritime shipping, including the strategic sea lanes of communication (SLOC) between the Indian and Pacific oceans (Kang 2021). The economic prosperity of South Korea relies on the freedom of navigation, an open market system, and upholding the rules-based international order (RBIO) in the Indo-Pacific region. Despite the benefits associated with this region, from 2017 to 2020, South Korea chose to maintain a distance from the US FOIP strategy, only selectively implementing it in areas that overlapped with the New Southern Policy (NSP) - a policy built by President Moon Jae-in in 2017 to promote South Korea's economic and political autonomy. The NSP has two fundamental objectives: (i) diversifying South Korea's markets to avoid excessive dependence on China and potential "punishment" as it experienced after the decision to install the Terminal High Altitude Area Defense (THAAD) system in 2016, and (ii) increasing solidarity among middle powers in Asia to counter risks from US-China competition in the region. These two NSP objectives are driven by the 3P principle: People, Prosperity, and Peace.

With such objectives and principles, South Korea's NSP partly overlaps with the US Indo-Pacific strategy, helping the country demonstrate solidarity with its allies. Therefore, the US recognizes South Korea's NSP and endeavors to coordinate the Indo-Pacific Economic Vision (IPEV) with NSP as a step to advance US policies in the region.

South Korea's participation in the Indian Ocean Rim Association (IORA) as a dialogue partner in November 2018 is evidence of its coordination efforts. Joining IORA allows South Korea to strengthen its Indo-Pacific focus in NSP, thereby preserving the core elements of NSP within the scope of FOIP operations and contributing to fulfilling the "US ally's role" in FOIP.

However, this is a limited representation of South Korea's stance. Even within the Zone of Possible Agreement (ZOPA) - the cooperative area between the Free and Open Indo-Pacific (FOIP) and the New Southern Policy (NSP), South Korea does not seem to be assertive. While bilateral

alliances with the United States play a crucial role in FOIP, the US-South Korea alliance is an exception. Among the three pillars of the NSP, the peace pillar is the least developed, which serves as an example of how South Korea appears to want to stay out of the region's security issues. This is most evident in the country's behavior towards the South China Sea issue. Despite the establishment of the NSP, South Korea's ambiguity towards the South China Sea issue remains unchanged.

For many years, the official position of the South Korean government, as expressed in consistent but vague statements from the Ministry of Foreign Affairs, is that South Korea supports freedom of navigation in the South China Sea and hopes that the parties concerned will peacefully resolve disputes through dialogue. In reality, these statements seem to be merely "lip service" as the country has almost no reaction to serious incidents in the South China Sea and lacks a strong position in multilateral forums.

The most prominent contribution by South Korea to this issue was its statements made in 2015. During the ASEAN Defense Ministers' Meeting Plus (ADMM+) in November 2015, Defense Minister Han Min-goo stated that freedom of navigation and overflight must be ensured, and disputes should be resolved peacefully (Yonhap News 2015). Later that month, President Park Geun-hye went further at the East Asia Summit (EAS) in Malaysia by calling on relevant countries to adhere to the Declaration on the Conduct of Parties in the South China Sea (DOC) and to respect non-militarization commitments in the strategic sea area. President Park argued that South Korea has always emphasized that disputes must be resolved peacefully following international agreements and codes of conduct and that China must ensure freedom of navigation and overflight (Shin 2015). This was perhaps South Korea's strongest public response. However, it was likely under pressure from the United States, as the US and another US ally in East Asia, Japan, have taken a firm stance and been willing to criticize China at regional and global forums.

However, despite these positive signs, South Korea has returned to a somewhat ambiguous and dualistic position. In September 2018, a South Korean warship sailed close to the disputed islands in the South China Sea, entering an area that Beijing considers as its territorial waters (in an illegal manner).

After being criticized by Chinese media for the "violation", South Korea quickly offered an explanation that its naval destroyer *Munmu the Great* was seeking shelter from a storm and not conducting "Freedom of Navigation Operations" (FONOPs - a campaign initiated and led by the US, mainly to counter China's irrational demands in the South China Sea); and that the ship, returning from anti-piracy operations off Somalia, did not have time to "ask for permission" (Jeremy and Andrew 2018). This action demonstrated a lack of clear stance and even a tendency to avoid confrontation with China on the part of South Korea.

This ambiguity stems from several factors related to South Korea's strategic and domestic political environment.

First, it is a habit of focusing on security on the Korean peninsula in the security foreign policy history of the South Korean government. South Korea's historical foreign policy has placed significant emphasis on North Korea and fostered bilateral relations with four key global powers: the United States, Japan, China, and Russia. These nations hold considerable sway over North Korean affairs, which has led South Korea to allocate relatively less attention to broader strategic and security concerns within the region. This trend has been particularly strong during the Moon Jae-in presidency, which has placed greater emphasis on improving inter-Korean relations. Meanwhile, the



FOIP approach to dealing with security threats from China could draw South Korea into the US military campaign outside the Korean peninsula. Despite being constrained by the role of an alliance with the United States, South Korean leaders still want to limit that role on the Korean peninsula. In addition, in such a limited vision of the Korean peninsula, due to US-North Korea tensions, South Korea's participation in FOIP is more likely to destabilize the Korean peninsula as North Korea may use increased military activities in the Indo-Pacific region as an excuse to engage in provocative actions against South Korea. Consequently, when FOIP initially emerged in late 2017, South Korea reluctantly joined the initiative, primarily due to concerns regarding its adverse impact on inter-Korean relations.

Secondly, there is the factor of China. South Korea has pursued autonomy amidst the competition between the US and China but cannot resist its leading trading partner - China. The US FOIP, at its core, aims to counter the rising power of China and its influence in the region; thus, adhering to the FOIP, the US would introduce complexities into the diplomatic ties between South Korea and China. Notably, China stands as South Korea's primary trade partner, with exports to China surpassing 162 billion USD in 2018 (Statista 2023). Additionally, despite South Korea's aspirations, China has played a significant role in the inter-Korean relationship since the conclusion of the Korean War. The prospects of reunification between the two Koreas hinge on China's support, as it remains the principal advocate for North Korea and possesses the necessary influence to enforce international sanctions aimed at curbing North Korea's nuclear programs. As long as South Korea's foreign policy continues to revolve around North Korea, South Korea cannot counter China.

### **SOUTH KOREA'S INCREASED COMMITMENT TO THE INDO-PACIFIC REGION FROM 2020: TOWARDS STRATEGIC AUTONOMY**

Although the ultimate goal of the NSP is autonomy, which a middle power like South Korea should have, with the habit of thinking and calculating economic interests related to China, South Korea's goal has not been achieved. However, in the later years of President Moon Jae-in's administration, South Korea has begun to change. Signs of increased engagement in the Indo-Pacific region began to emerge in 2020. In March 2020, the nation engaged in its inaugural Quad Plus gathering alongside New Zealand and Vietnam. While the Quad Plus has yet to be established as an official entity and focuses primarily on aligning Covid-19 strategies, South Korea's involvement can be interpreted as indicative of the country's receptiveness to adaptable approaches in the Indo-Pacific region.

A significant shift in South Korea's position occurred during the South Korea-US summit held in May 2021, featuring President Moon and President Biden. Within the Joint Statement, these two leaders expressed their shared aspiration for a region that upholds democratic principles, human rights, and the rule of law domestically and internationally. They committed to preserving the freedom of navigation and overflight in the South China Sea, adhering to South Korea's National Security Strategy (NSP) and the US vision of an Indo-Pacific that is free and open. Additionally, the parties pledged to collaborate in fostering a secure, prosperous, and dynamic region. Furthermore, the statement underscored the significance of upholding peace and stability in the Taiwan Strait (Kang 2021, 14).



One highlight of this summit is that President Moon has endorsed the FOIP framework while not officially outlining South Korea's strategy for the Indo-Pacific. The joint statement by the leaders contains key elements of President Biden's Indo-Pacific strategy targeting China, although not explicitly mentioning it. President Moon committed South Korea to oppose any disruptive, destabilizing, or threatening activities based on rule-based international order (RBIO) in the Indo-Pacific and expanding the operations of the US-South Korea alliance to a larger regional security context, such as the South China Sea and Taiwan (Kang 2021, 14). The statement also acknowledges that while significant overlap exists, US and South Korean interests are not entirely congruent. This may result from President Moon's desire to avoid a clear link between his support for FOIP and his anti-China stance. He may be willing to endorse FOIP only on the condition that South Korea does not appear to be explicitly anti-China. This suggests that President Moon remains cautious and is only making minimal changes necessary to satisfy both the South Korean and US public, given that the US domestic opinion is somewhat disappointed with the "distance" of this ally from FOIP, and the government is under pressure to control the pandemic and access to vaccines.

President Yoon Suk Yeol corrected South Korea's hesitations under President Moon Jae-in. President Yoon Suk Yeol has a different strategic vision and political orientation than his predecessor, Moon Jae-in. From the early stages of his candidacy, Yoon Suk Yeol demonstrated his view that "South Korea's policy will not be restricted to the Korean Peninsula" and emphasized greater involvement in the Indo-Pacific region. In his Foreign Affairs article titled "South Korea Needs to Step Up", Yoon Suk Yeol noted that his vision for South Korea is to expand its capacity and role in foreign policy and diplomacy beyond the Korean Peninsula and to integrate itself into Indo-Pacific collaborative bodies in the theater, including the Quadrilateral Security Dialogue (Yoon 2022). Yoon highlighted the benefits of South Korea's participation in the Quad (Abhishek 2022), promising active cooperation in the Indo-Pacific, restoring bilateral relations with Japan, restoring trilateral security cooperation with the United States and Japan, and prioritizing the enhancement of strategic and comprehensive relations with the United States. President Yoon sees the relationship with the United States as the centerpiece of South Korea's foreign policy and is committed to seeking a comprehensive strategic alliance with Washington. The new president emphasizes that Seoul needs to play a greater role as one of the top 10 economies in the world<sup>1</sup>.

With this direction and vision, it seems that the future South Korea not only wants to be labeled as a middle power but also aims to become one of the top leading powers in the world. Accordingly, South Korea's policy will not be restricted to the Korean Peninsula. However, it will expand its role in the region, not only in economic matters but also in politics and security in the Indo-Pacific region. Placing the United States at the center of its foreign policy does not indicate that South Korea wants to be dependent on the United States but rather shows its active involvement in responding to global and regional developments, thereby contributing to the operation of the structure - a strategic autonomous mindset.

Subsequently, the reality of South Korea has proven this foreign policy trend. The South Korea-US alliance was strengthened when South Korea was chosen as the first stop for President Joe Biden's Asia trip in May 2022. Later, the two sides upgraded their relationship to a "global comprehensive alliance", and President Yoon signed onto the US-led Indo-Pacific Economic

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<sup>1</sup>South Korea is currently the 10th largest economy in the world. See: Global Peo Services. 2022. Top 15 Countries by GDP in 2022. Available at: <https://globalpeoservices.com/top-15-countries-by-gdp-in-2022/>

Framework (IPEF) (Kang 2022). At that time, South Korea recognized that its national interest was tied to peace and stability in the Indo-Pacific region, as President Yoon Suk Yeol stated in Cambodia in November 2022 when he attended a series of meetings with the Association of Southeast Asian Nations (ASEAN): “Peace and stability in the Indo-Pacific region are directly linked to our survival and prosperity” (Lee 2022a).

In December 2022, South Korea officially announced its “strategy for a free, peaceful, and prosperous Indo-Pacific region” as evidence of its attachment to the region and its autonomy. Through this strategy, South Korea emphasizes the shared prosperity of like-minded countries and human rights, opposes unilateral changes to the status quo by force, maritime order based on the rule of law in the South China Sea, peace and stability in the Taiwan Strait, maritime and air freedom, and other commitments. The strategy also implicitly condemns China and supports the US’s intention to restrain its strategic rival, although it does not directly refer to the world’s second-largest economy (Jagannath and Choong 2023). With this content, South Korea shares the US vision on security issues – such as maintaining peace, stability, and maritime and air freedom in the region. At the same time, the implications for China in the strategy also indicate the country’s proactive engagement in hotspots in the Indo-Pacific region to assert its role as a middle power.

However, South Korea’s strategy for the Indo-Pacific still emphasizes comprehensiveness. South Korea declares that it “does not target nor exclude any specific country” and views China as “the main partner in achieving prosperity and peace in the Indo-Pacific region” (Kim 2023) and “(...) will foster a healthy and mature relationship (with China) while pursuing common interests based on mutual respect and reciprocity, which are led by international rules and standards” (Republic of Korea 2022). This demonstrates that South Korea still desires to maintain a healthy relationship with China, at least in terms of the economy. However, this relationship aims for more balance and independence.

Through its strategy, South Korea aims to achieve its goals by emphasizing nine key efforts: (i) Building a regional order based on standards and rules; (ii) Cooperation to promote the rule of law and human rights; (iii) Strengthening regional efforts to combat terrorism and prevent nuclear proliferation; (iv) Expanding comprehensive security cooperation; (v) Building an economic security network; (vi) Promoting cooperation in important science and technology fields, narrowing the digital divide; (vii) Leading regional cooperation on climate change and energy security; (viii) Participating in “contributing diplomacy” through refined development cooperation relationships; and (ix) Promoting mutual exchange and understanding (Republic of Korea 2022).

South Korea’s vision for the Indo-Pacific is comprehensive, covering a wide range of areas from law, security, and economics to energy, science and technology, and the environment, indicating a desire to play a larger role in the political developments in the region and the world. Recognizing the importance of peace and stability in the region, South Korea will be more decisive in security matters. The detailed documentation affirms the priority of building a regional order based on standards and rules, focusing on crucial maritime routes such as the Hormuz Strait, the Indian Ocean, the Malacca Strait, and the South China Sea.

Therefore, South Korea aims to enhance its engagement in the Indo-Pacific region to maintain a free and open area for all nations and build solid and long-lasting partnerships to cope with emerging challenges affecting regional stability. Indeed, South Korea’s new commitment to the region is inclusive of all partners, including China. This approach enables South Korea to maintain its cooperation with China and is readily accepted by Southeast Asian countries, which are sensitive to

power plays by major nations. Thus, South Korea can adapt and build cooperative relationships with regional partners based on shared principles, values, and interests.



Figure 1: Core Lines of South Korea in its Indo-Pacific Strategy  
(Source: Ministry of Foreign Affairs of South Korea 2022)

Based on policy adjustments towards the Indian Ocean-Pacific region, South Korea has carried out a series of activities demonstrating an increased commitment to the issues in the region. South Korea has reinforced its relationship with its ally, the United States, by participating in the 28th Rim of the Pacific Exercise (RIMPAC) in June 2022 and the 3rd Free Guardian Exercise in March 2023, the largest bilateral exercise since 2017, when the former President Donald Trump's administration reduced its scale to ease tensions with Pyongyang and continued to maintain small-scale exercises due to the COVID-19 pandemic.

Moreover, South Korea has shown a cooperative spirit with the United States in downgrading relations with Japan. In November 2022, the South Korean navy sent a 10,000-ton logistics support ship, Soyang, to participate in the International Fleet Review (IFR) held by the Japan Maritime Self-Defense Force (MSDF) for the first time in 20 years (Maritime Executive 2022). On March 16, 2023, President Yoon Suk-yeol of South Korea visited Japan twice and attended a summit meeting with Japanese Prime Minister Kishida Fumio in Tokyo, marking a significant step towards normalizing Japan-Korea relations since 2018. In particular, President Yoon Suk-yeol's visit to Japan was planned after Seoul officially proposed a plan to compensate for wartime forced labor victims through a public fund contributed by its own companies instead of directly from related Japanese companies (Lee 2023). This proactive move shows the South Korean government's considerable effort, given that animosity towards Japan is deeply ingrained in the national psyche.

South Korea has also sent a message about strengthening relationships, especially defense and security relationships, with the EU<sup>2</sup>, India<sup>3</sup>, and Australia<sup>4</sup>. It plans to participate in Quad working groups<sup>5</sup> in areas where Seoul has expertise, such as new technologies, healthcare, and climate change. These steps demonstrate South Korea's consistency in increasing its commitment to the issues in the Indo-Pacific region.

### COMMENTS ON SOUTH KOREA'S INCREASED ENGAGEMENT IN THE INDO-PACIFIC REGION: AFFIRMING ITS AUTONOMY

From the changes in South Korea since the end of President Moon Jae-in's term and primarily through the release of the Indo-Pacific Strategy by the Yoon administration in December 2022, South Korea demonstrated a desire for strategic autonomy, specifically toward achieving independence to avoid economic dependency on China and security dependency on the US, thereby asserting its role as a middle power. Economic dependence on China or security-political dependence on the US has had negative impacts on South Korea. For many years, as an ally of the US, South Korea has also faced pressure to "contribute" to US strategies in the region, which has caused tensions in its relations with countries that have animosity towards the US, such as China and North Korea. In addition, being alongside the US has made South Korea partly reliant on US strength, thereby lacking opportunities to demonstrate its role. As with Japan, the presence of US military forces in South Korea has become a "shelter" for the southern part of the Korean Peninsula, not only in the threat from the North but also in other security issues in the region. While Japan has a different motivation for strong involvement in the South China Sea issue, which is the dispute over the Senkaku/Diaoyu Islands with China in the East China Sea, South Korea is not trapped in a relationship with China in such a form.

The thing that most directly affects Korea is the issue of freedom of navigation in the South China Sea, which is a common issue involving many countries, including the US, which has shown the most concern. With the nature of a superpower and the trend of containing China, the US will undoubtedly participate in the regional situation, at least to ensure the maintenance of freedom of navigation. From this perspective, Korea can completely "hike" US actions, thereby still ensuring its interests in the East Sea without the need for resolute action and certainly without the need to "provoke" China.

However, during the presidency of Donald Trump, the United States exerted pressure on South Korea. With the belief that "America is first", Trump reevaluated the alliance relationship. In addition to signing the USMCA to replace NAFTA, the US renegotiated trade agreements with South

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<sup>2</sup>See: Nicola Casarini. 2021. The EU's Growing Security Cooperation With South Korea. *The Diplomat*. Available at: <https://thediplomat.com/2021/03/the-eus-growing-security-cooperation-with-south-korea/>

<sup>3</sup>In February 2022, South Korea participated in the Milan drills led by India for the first time. Earlier, Korea also sent a message that it wanted to tighten ties with India. See: Yonhap News.2022. S. Korea to take part in India-led joint naval exercise: sources. *Yonhap News*. Available at: <https://en.yna.co.kr/view/AEN20220222003900325>. Also see: Stanly Johny.2018. S. Korea wants to elevate ties with India. *The Hindu*. Available at: <https://www.thehindu.com/news/international/s-korea-wants-to-elevate-ties-with-india/article24988305.ece>.

<sup>4</sup>See: Alie Peter Neil Galeon. 2022. S. Korea, Australia to Boost Bilateral Defense Cooperation. *The Defense Post*. Available at: <https://www.thedefensepost.com/2022/11/25/korea-australia-defense-cooperation/>

<sup>5</sup>See: Yonhap News. 2023. (LEAD) S. Korea to accelerate Quad working group participation: official. *Yonhap News*. Available at: <https://en.yna.co.kr/view/AEN20230308005351325>

Korea (9/2018) and Japan (10/2019). Trump called the Korea-US Free Trade Agreement (KORUS) a “job-killing deal”, asserting that the agreement had destroyed 100,000 American jobs (Noland 2018). In particular, his demand that South Korea pay \$5 billion for the presence of US troops in South Korea in 2019 (Hyonhee and Joyce 2021) increased pressure on South Korea to become more independent in terms of security from the United States. Although under the presidency of Joe Biden, the United States has taken steps to mend the alliance relationship, the “Trump shock” still serves as a cautionary tale for this Northeast Asian country to walk on its own two feet.

Furthermore, Biden’s commitments also only serve the interests of the United States. The bitter pill that France had to swallow with AUKUS in the recent past is the most apparent evidence for this argument. Therefore, South Korea must establish its position and maintain its strength. Building a realistic perspective and actively participating in the Indo-Pacific region, where the United States and other allies are increasing their presence, will help South Korea achieve this goal.

Meanwhile, China has been South Korea’s largest trading partner for many years. Bilateral trade between China and South Korea in 2018 reached \$268.6 billion, which was more than the combined trade between South Korea and the United States and Japan (Global Edge 2018). With such an economic dependence on China, any political or military action taken by South Korea that implies a message to China will come at a cost. The repercussions of the “garlic blockade”<sup>6</sup> in 2000 and the most recent economic punishment by China in 2017, related to South Korea’s installation of the Terminal High Altitude Area Defense (THAAD) system for the United States, are still strongly felt.

The 2000 incident caused severe damage to South Korea’s phone and chemical industries, while the 2017 crisis caused a series of major brands in the country, such as Hyundai, Kia, and Lotte, to suffer losses and tourism in South Korea to decline. Furthermore, China can impact South Korea’s economy by banning the export of rare earth minerals – a tactic that China used against Japan in 2010 and even the United States during the US-China trade war.

The significance of China for South Korea extends beyond economic cooperation and into the realm of security. From South Korea’s previous perspective, if the United States maintains its role as one of the key players in the Korean Peninsula issue, China also occupies a similar position, albeit in a different way. The US is a factor in preventing potential military threats from North Korea, while China can influence and, to some extent, control North Korea’s behavior. China’s direct involvement in the Korean War (1950-1953), signing of the Armistice Agreement(1953), standing alongside North Korea during the Cold War, and maintaining economic relations with North Korea even during the period when the country was under sanctions by the US and UN, makes its role possible. In this regard, China is an important factor for South Korea in addressing the nuclear threat of North Korea and creating conditions for the unification of the Korean Peninsula. This reality puts South Korea in a weak position in its relationship with China. The increasing commitment to the Indo-Pacific region indicates a shift in South Korea’s perception. By pursuing a more independent foreign policy approach that is less cautious regarding security-political issues with implications for China, South Korea not only reduces its dependence on China but also secures its strategic interests, including

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<sup>6</sup>The occurrence transpired when the Korean government implemented substantial levies on low-cost garlic imports originating from China as a measure to safeguard Korean farmers, subsequently inducing China to impose an embargo on the importation of mobile phones and chemical commodities originating from South Korea. It is noteworthy that at the time of this incident, garlic imports from China only accounted for \$9 million, while South Korea’s exports of phones and chemical products to China amounted to over \$471 million. See: Don Kirk.2000. Just a Little Garlic Overpowers Asian Trade Ties.*New York Times*. Available at: <https://www.nytimes.com/2000/07/08/news/just-a-little-garlic-overpowers-asian-trade-ties.html>.

security concerns on the Korean peninsula. Proactively engaging in regional issues and promoting relationships with other partners will help South Korea achieve its goals. Once South Korea attains a global position, it will have sufficient resources and capabilities to address its security issues.

Through the Indo-Pacific strategy, South Korea can promote the economic security structure by actively engaging in numerous multilateral initiatives, such as the Comprehensive Regional Economic Partnership (RCEP), expeditiously joining the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), expanding comprehensive economic partnerships with ASEAN and India, and the Digital Economic Partnership Agreement. This will help ensure supply chain stability while minimizing the risk of economic coercion from China towards South Korea. The importance of becoming less dependent on China's influence becomes even more critical as anti-China sentiment has surged in South Korea. Previously, the South Korean public viewed China positively due to their economic and trade relationship, which supported President Moon Jae-in's ambiguous stance between the US and China. At the same time, South Korea was an ally of the US. However, the economic retaliation by China against South Korea following the deployment of THAAD in 2016, the Hong Kong issue in 2019, and the Covid-19 pandemic in 2020 have all contributed to a decrease in the favorable perception of China among the South Korean population. Remarkably, the incidents in 2021 where South Korea accused China of practicing "cultural imperialism" (Choi 2021) have further heightened the nationalistic sentiment among the South Korean people. According to a survey conducted by the Pew Research Center, anti-China sentiment in South Korea has reached its peak, reaching 75% in 2020 (Laura, Kat, and Christine 2020). With the significant shift in South Koreans' attitudes towards China, it becomes increasingly challenging to maintain a balanced approach to the FOIP. Therefore, achieving independence to avoid being influenced by China is not only a subjective desire of the South Korean government but also meets the needs of the domestic population.

Furthermore, South Korea has demonstrated autonomy in its relations with the United States and China by engaging more extensively in the Indo-Pacific region. This move enables the nation to reinforce its standing and satisfy global expectations for an increasingly influential South Korea in terms of its economic and cultural impact. Given its status as a significant economy with advanced technological capabilities, South Korea wields considerable soft power and influence in the security and economic framework of the region. Nonetheless, South Korea's foreign policy, particularly regarding security, has faced criticism for its narrow focus solely on Northeast Asia. The South Korean political leadership acknowledges these global expectations.

The new Indo-Pacific strategy represents a fundamental change, with an extended diplomatic outlook that aligns with the country's "national prestige and status".

When the specific strategy was announced, the Office of the President of South Korea also reiterated that this is South Korea's first comprehensive regional strategy, demonstrating its commitment to expanding diplomatic space and enhancing its role and contribution to the region (Lee 2022b). These commitments align with South Korea's elevated position and the expectations placed on Seoul by the international community. The content of the Indo-Pacific Strategy and recent activities of South Korea in the region demonstrate that the country aims for autonomy in both security-political and economic aspects. Strengthening participation in maritime security issues promoting cooperation with US allies and like-minded partners, like India and the European Union, in mechanisms and practical activities will help South Korea achieve its goals of security-political autonomy. Presently, South Korea is engaged in various maritime exercises, including the Milan



exercise conducted by India and the Rim of the Pacific Exercise (RIMPAC), led by the United States, and has also initiated initiatives centered on maritime awareness, capability enhancement, and intelligence sharing. These efforts augment South Korea's capability to interact and remain prepared for any eventuality.

Furthermore, South Korea's involvement in the Quad activities in the "Plus" format or working groups and its participation in the NATO Summit and Cyber Defense Group in 2022 have helped to assert its expanded role in global affairs. Meanwhile, expanding economic diplomacy endeavors to build stronger ties with middle and lower-ranked economies in the region while exhibiting greater responsibility within the multilateral economic cooperation framework, which can help Northeast Asian nations reduce their reliance on China's economy. Accomplishing these two dimensions can elevate South Korea's global standing, consolidate its position as a middle power, and potentially propel it toward being a significant global power.

## CONCLUSION

The root cause of South Korea's indecisiveness can be traced to the influences of both the United States and China. Likewise, the transformation from ambiguity to strategic autonomy can be attributed to these two nations' influence. It is important to note that South Korea's association with the two countries differed during the two phases. Previously, South Korea depended on the United States for external security concerns in the Korean Peninsula and took a cautious stance towards China to avoid any impact on the economic benefits arising from the Sino-Korean relationship. However, South Korea's enhanced engagement in the Indo-Pacific region was subsequently motivated by its desire for independence from the United States and China. This aspiration was articulated in South Korea's New Southern Policy in 2017. Nonetheless, South Korea's potential was not yet sufficient during that period to enable it to undertake more robust activities with China.

As of 2022, South Korea has gained a profound understanding of the sentiments associated with a nation's dependency on external entities. The Trump administration's insistence that South Korea shoulder the cost of maintaining US military presence on its soil, as well as the world's largest superpower's endorsement of a trade agreement that was beneficial to the US, imparted a lesson to South Korea about the futility of "hiding in the shadow" of any country, including allies. To establish its position in the region, South Korea should establish a comprehensive framework that covers all critical areas for the Indian Ocean-Pacific Ocean region and proactively contribute to cooperation mechanisms. While shared with the US, South Korea's actions and policies are not intended to increase dependence on the US but rather to assert its strategic autonomy in front of its major ally.

The frayed people-to-people relations between South Korea and China have compelled South Korea to seek autonomy from the Northeast Asian powerhouse. China's "cultural invasion" tactics have raised concerns among South Koreans about its overt attempts to draw South Korea into its sphere of influence, creating an urgent need for South Korea to assert its independence from China. Greater dedication to the region's pivotal concerns, as outlined in the Indo-Pacific Strategy, will aid in reducing South Korea's economic reliance on China. Although it has faced some backlash, mostly diplomatic censure, from China, the South Korean government's shift exhibits favorable prospects owing to its all-inclusive approach, which serves as a basis for securing backing from domestic and global constituencies.

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# NAVIGATING THE GEOPOLITICAL LANDSCAPE OF ARTIFICIAL INTELLIGENCE: REFLECTIONS AND CHALLENGES

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**Abstract:** Artificial Intelligence (AI) has enormously impacted everyday life's economic, social, and political spheres. This impact is even more significant in today's globalized world. Artificial Intelligence and new technologies influenced the geopolitical domain, shifting and influencing the balance of power. The power that excelled in governing, educating, and reproducing novelties in AI claimed the title. However, instead of aspiring to be the best, the great powers balanced out their antagonism and joined forces. They cooperated in the domain of new technologies and AI, aiming for the benefit of humanity. AI had to be adequately harvested to produce peace, prosperity, and stability, acting as a bridge in an interconnected, globalized world. The purpose of the research was to discuss and analyze, through qualitative research analysis, the present and future influences, effects, and policies of Artificial Intelligence and new technologies in the geopolitical domain and their impact on humanity.

**Keywords:** Artificial Intelligence; Geopolitics; Globalized World

## INTRODUCTION

There are many definitions of the meaning of Artificial Intelligence (AI), and they all summarize the idea that AI is a human intelligence process conducted by a machine (Burns 2022, 3). This means the machine can solve problems, learn, and predict. Different kinds of AI exist, such as assistants, chatbots, machine learning, etc. Additionally, there are different categories of Intelligence, including:

- Automated Intelligence, which consists of the automation of manual tasks;
- Assisted Intelligence, which means helping people to perform tasks faster and better;
- Augmented Intelligence, which means helping people make better decisions and
- Autonomous Intelligence means that there is a mechanical or robotic decision-making process without the help of a human being.

Therefore, the collaboration between humans and machines has become more real, and the new transformations and innovations are astonishing (Sizing the Prize 2023). AI expert Prof. Sir Nigel Shadbolt states: "Artificial Intelligence presents a whole spectrum of abilities, from smart programs to super clever programs" (Chen et al. 2023, 2).

Artificial Intelligence is not a new phenomenon, but it has become more authentic and recognizable to people in the past ten years, no longer an abstract concept. It is progressing rapidly

and shaping our everyday lives. It has brought about fundamental changes in society's ethical, social, and cultural aspects and the international economic and political spheres (Zekos 2022, 4). AI has influenced education, the healthcare system, economies, transportation, the work environment, automated everyday tasks, and decision-making, making the development of new products and services more accessible and faster, among other things.

For instance, in education, AI has contributed to the development of personalized learning programs and created new educational technologies and tools, enhancing the educational process in terms of speed and ease. In the healthcare system, AI has played a role in improving diagnosis and treatment, developing medical technologies and tools, and enhancing medical records' accuracy and secure storage. In the finance and economic sectors, AI has improved the accuracy of predictions and better managed economic risks.

Moreover, in transportation, AI has implemented better navigation services, enhanced passenger safety, and facilitated efficient delivery of goods and services. In the workplace, AI has improved collaboration between partners, increased efficiency in the work environment, and facilitated the development of new job roles and the acquisition of new skills.

As AI continues to expand and introduce novelties, it is expected to profoundly impact many other aspects of life, both positive and negative (Dela Cruz et al. 2022, 5-6).

Therefore, from the apparent impact AI has made on a global level, it can earn the nickname of the boomer of the Fourth Industrial Revolution.

## LITERATURE REVIEW AND METHODS

The research aims to discuss and analyze through qualitative research analysis the present and future influences, effects, and policies of AI and the new technologies in the geopolitical domain and their impact on humanity. Throughout the research, different theories and frameworks will be used to present and assess the risks and the positive outcomes of using AI. Moreover, through that assessment, continue presenting, framing, and shaping the new aspects and policies on the international arena and the balance of power. Furthermore, the central hypothesis in this research is that AI and new technologies have positively and negatively influenced the world's geopolitical domain. Therefore, for humanity to feel the positive benefits of using AI, the great powers should balance out their differences, join forces, and collaborate in the field to produce prosperity, peace, and stability in this interconnected, globalized world.

The geopolitical landscape of AI is a novel research area, even though the science of geopolitics and the science of AI are not new concepts in their domain. The research findings are changing daily with a focus on many different aspects of AI and the different aspects it influences, especially in geopolitics. Only a few researchers have touched upon this precise topic and have taken different or similar stands of discussion and analysis. For example, in her paper "Steering the Governance of Artificial Intelligence: National Strategies in Perspective", Roxana Radu touches upon the national and governmental approaches to AI from a hybrid perspective (Radu 2021, 1). Meanwhile, Kenneth Krushel, in his work "Geopolitics in the Era of AI: Upending Assumptions", touches upon geopolitics and the new industrial revolution in the new era (Krushel 2022, 2). These and many more studies analyze and discuss only certain aspects of the topic.

Therefore, through the analysis of the strengths and weaknesses of the research findings, the research was constructed to address the gaps in this research area. Along with the new findings, an effort was made to contribute to new future research.

## THE FOURTH INDUSTRIAL REVOLUTION

The Fourth Industrial Revolution is an ongoing process of reproduction and overgrowth. Innovations in the AI sector and all technological spheres are developing faster, more efficiently, and becoming globally accessible. Technology has been widely accepted and interconnected by merging the digital, physical, and biological realms. These new technologies influence our social lives, affecting economies, values, identities, possibilities, and more. Embracing this industrial revolution presents an opportunity to harness its benefits. For example, it can help address environmental problems, which is a significant concern.

On the other hand, if we misuse the instruments produced by this revolution, it could exacerbate existing threats or create new ones. Opting to capitalize on these opportunities involves learning how to manage the associated risks, necessitating a transformation in legislation, governance, and policies. This transformation should be coupled with global cooperation, engagement, and connectivity. This transformation demands collaboration among policymakers, scientists, researchers, scholars, civil society, technology experts, and investors worldwide (Harnessing Artificial Intelligence for the Earth 2018, 7). Positively harnessing and adapting to new technological means is a significant step toward empowering sustainability goals for the betterment of humanity. Even in 1989, Tim Berners-Lee envisioned technology's impact on the world. He foresaw the World Wide Web as a globally shared information space where people would work, play, and socialize, using digital means and collectively participating in various activities. This vision materialized 23 years later (Krushel 2022, 3-4).

Now, let us consider the potential impact that AI will have on geopolitical norms by combining the physical, digital, and biological realms. First, it will connect the world and bring forth new potentials:

- It will raise global income and improve quality of life;
- It will have, in the long run, gains in efficiency and productivity;
- The transportation and communication costs will decrease;
- The logistics and the global supply chain will be more effective;
- Trade costs will diminish (Krushel 2022, 3-4).

However, these are not the sole potentials of AI. If AI is harnessed positively globally, its potential and benefits will extend far beyond the current scope. In such a scenario, the impact and advantages of AI could be significantly amplified, offering unprecedented opportunities for advancements in various fields.

## THE GEOPOLITICS OF ARTIFICIAL INTELLIGENCE AND ITS IMPACT ON THE BALANCE OF POWER

The term “geopolitics” refers to the competition among countries to control trade, capital, people, and, in today’s world, to control the internet, information flow, and data processing. It also involves striving to be the best and most innovative in AI and cyber technologies. These efforts aim to gain political and economic advantage internationally and globally (Krushel 2022, 3).

The great powers seem to perceive AI only as a means to an end, aiming to improve their position in the international system, especially in the economic, political, and military spheres. This competition in the international arena is driven by several factors: the nature and purpose of the technology, the rapid advances in AI, and most importantly, the historical experience from past industrial revolutions. In pursuing global domination, major powers such as the USA, China, Russia, India, and the European Union have been increasingly investing in AI research and development to be the first and the best (Vijayakumar 2022, 5-6).

The power transition theories in international relations indicate that a country’s ability to invest in innovations and dominate in leading spheres is the primary indicator of its capacity to rise. A country’s position in the international power pyramid is determined by its ability to sustain power through technological growth and advancement. Countries will fall or rise on the power hierarchy scale based on their advancements (Vijayakumar 2022, 5-6).

The effects of technology on international relations power dynamics are seen to be much more thorough during the three industrial revolutions. These industrial revolutions have changed and influenced the rise and fall of great powers. The First Industrial Revolution and the creation of the steam engine are directly linked to the leader of these innovations: the United Kingdom. This innovation enabled the UK to become the world’s economic, political, and military center.

Furthermore, the Second Industrial Revolution is linked to the innovation of electricity and oil mining technologies, with the USA as the leader. The USA continued to lead in the advancement of nuclear weapon technology, positioning itself as a world leader and setting international norms, standards, and interests. To continue the Third Industrial Revolution initiated advances in electronics, the internet, communication technology, and microprocessors. This industrial revolution was reinforced by the globalization process, leading to advances in different countries such as Japan, the USA, and Europe.

Therefore, to understand how AI will influence and shift geopolitics and the global order, we can look back at the three industrial revolutions or the advancements and developments in nuclear weapons. This will guide us in identifying who will be the key player (Vijayakumar 2022, 5-6).

Throughout history, technology has influenced and shaped economies, societies, and military powers, creating new global actors. Therefore, Artificial Intelligence today is shaping and reshaping international relations and the global balance of power.

For example, consider the Sino-American competition on AI and the desire to be the first and the best. This competition directly impacts Europe, as AI is a key component of China’s internal and external strategy, and the same applies to the US. The competition also significantly affects both powers’ security and defense strategies, especially regarding the military effects of AI usage.

Aspiring to excel in implementing AI will have a crucial impact on warfare and the geopolitical balance of power. Examining Chinese and US capabilities, plans, and visions for AI reveals

that both states are potent AI powers and highly competitive, shaping the new geopolitical power dominance. For Europe, this competition poses numerous challenges (Ulrike 2021, 13-15).

However, is the competition among the great powers the sole obstacle to reaching global dominance, or are there other impediments? Can the potent alliance between AI and a data-driven society reshape the reality of today's world? Is humanity at risk of losing control to an algorithmic revolution that surpasses normal human understanding and accountability? AI technologies are likely to undermine global governance mechanisms, policies, and legislation (Pauwels 2018, 2-3). The reality is that legislation cannot be reinforced at the same pace as the rapid advancement of new AI technologies. So, when rules and regulations are lacking, can machines become the next dominant power, ruling the world?

In reality, the connectivity, influence, cooperation, and competition offered by new technologies have shifted the geopolitical realm. Perhaps machines will not rule our world as depicted in Sci-fi movies, but they will undoubtedly significantly impact it. Geopolitics will no longer revolve solely around territory; it will be conducted in the data-driven and space-technological realm (Laurent et al. 2017, 85-87).

Politically, legally, and ethically, the world is unprepared for AI. The UN cannot effectively govern AI, given that the development of new technologies outpaces the creation and application of legislation or norms. This concerns international organizations and a growing worry for individual states. Without collective, collaborative governance, there is a risk to global stability (Pauwels 2018, 2-3). Authoritarian regimes with extensive internet infiltration pose an additional risk. Therefore, Western democracies should present a unified stance against authoritarian and undemocratic uses of AI (McBride 2023, 1).

In conclusion, AI is a power enhancer, enabling the management, processing, and application of vast amounts of information. Consequently, the country or government that can effectively use, manage, and control AI will possess the power to rule and govern the world. This is why significant geopolitical interest is in controlling AI manufacturing, storage, and processing (McBride 2023, 2).

## REGULATIONS AND OBSTACLES IN MANAGING AI

Each country or international organization establishes different regulations for managing AI. The EU employs regulatory standards using a risk-based approach, wherein only high-risk AI is subject to mandatory regulations. In the US, self-regulation and soft law are used to regulate AI. China's regulation focuses on controlling data and imposing social governance and privacy standards. These approaches are accepted within the respective countries' jurisdictions (Zekos 2022, 4).

Furthermore, China's substantial investments in AI have led to the introduction of various settings that promise efficiency, security, and connectivity. However, there is still the risk that prioritizing these settings may lead to biases and abuse. Nonetheless, the importance of safety and ethical principles has not been undermined.

Moreover, the EU has created ethical guidelines, and India has emphasized protecting privacy and ethics. Despite these efforts, it is deemed insufficient. Ultimately, the US and China need to introduce stricter regulations that go beyond the benefits derived from AI in warfare and the economy, aiming to safeguard security and stability (Taylor et al. 2018, 4). Efforts have been made to



create an ethical and legal framework for autonomous systems. In May 2018, international NGOs presented a new declaration on protecting the rights to equality and non-discrimination by machine learning systems. Building upon international human rights law and emphasizing the responsibilities of both public and private actors, the Toronto Declaration aims to ensure that machine learning technologies and AI incorporate the principles of inclusivity and non-discrimination into their systems (Parakilas et al. 2018, 1-6).

Furthermore, there is the question of legal liability. In cases of harm or errors, determining who is at fault - whether it be the operators of the algorithm, the robot, or another party - poses a challenge. Legal liability sanctions can range from civil fines to imprisonment, but the question of responsibility remains unanswered. The Uber-related fatality in Arizona serves as a test case for legal liability. The state enlisted Uber to test its autonomous vehicles and granted the company significant independence in road testing. It remains to be seen who will take responsibility: the human driver, the state, the suburb where the accident occurred, Uber, the software developers, or the auto manufacturer. Additionally, digital platforms often have limited accountability (West et al. 2018, 5).

Numerous obstacles exist to creating proper regulations and legislation that are universally applicable to all AI and unanimously accepted worldwide. However, this remains the only way to be protected from any threats that may arise from the application of AI, as well as to regulate AI on a global scale.

### POTENTIAL BENEFITS IN A GLOBALIZED WORLD RULED BY AI

AI is considered a significant game-changer. A contribution of up to \$15.7 trillion to the global economy by 2030 is projected, surpassing the combined present economies of China and India (Sizing the Prize 2017, 7). Of this amount, \$6.6 trillion is anticipated to come from increased productivity and \$9.1 trillion from consumption. While AI means and tools have already been applied by some markets, sectors, and individual businesses, the use and development of AI are still at a very early stage (Sizing the Prize 2017, 7). Due to AI, a rise of up to 14% in the global GDP for 2030 is anticipated. The economic impact of AI will be driven by:

- Productivity gains from processes being automated by businesses (including the use of robots and autonomous vehicles).
- Productivity gains from businesses augmenting their existing labor force with AI technologies (assisted and augmented intelligence).
- Increased consumer demand resulting from the availability of personalized and/or higher-quality AI-enhanced products and services (Sizing the Prize 2017, 4).

One of the reasons for the growing role of AI is the tremendous opportunities for economic development. The increase in the global GDP will include advances of \$7 trillion in China, \$3.7 trillion in North America, \$1.8 trillion in Northern Europe, \$1.2 trillion for Africa and Oceania, \$0.9 trillion in the rest of Asia outside of China, \$0.7 trillion in Southern Europe, and \$0.5 trillion in Latin America (West et al. 2018, 1-6). China is making rapid progress due to its national goal of investing \$150 billion in AI and becoming the global leader in this sector by 2030 (West et al. 2018, 5). Furthermore, the McKinsey Global Institute presented a study in which China's AI is expected to give its economy a productivity injection that would add 0.8 to 1.4 percentage points of GDP growth annually. Although

China currently falls behind the United States and the United Kingdom in AI, the size of its AI market gives China tremendous opportunities for development (West et al. 2018, 1-6).

Beyond the economic advances for countries, AI can become a game-changer in addressing environmental issues globally. Together with other technologies, it can deliver transformative solutions. Some elements AI produces are real-life game-changers and offer the potential to transform human systems fundamentally. For example, Autonomous electric vehicles could work in combination with energy grids, with charging fed by a decentralized and optimized renewable energy grid. These vehicles can help transform people's mobility while reducing greenhouse gas emissions and delivering cleaner air.

Furthermore, machine-learning technology will improve transportation efficiency since autonomous vehicles are connected and communicate with one another. As a result, they will be able to identify hazards or dangers while optimizing navigation and network efficiency. This technology can also encourage car sharing and reduce car ownership, decreasing emissions. However, it is essential to understand that the transition to connected autonomous cars will be gradual and vary from country to country, taking many years to realize the benefits. It is essential to start this transformation from somewhere (Harnessing Artificial Intelligence for the Earth 2018, 1-7).

Another innovation could be the use of solar roads. AI could enable a road to learn to heat up to melt snow or adjust traffic lanes based on vehicle flow. Smart grids and other technologies and advanced materials can increase distributed sources and optimize energy storage. Proper regulation will be necessary to ensure the security and integrity of the software, ownership, liability, and control of intellectual property rights. In the near future, economies and societies will adopt and implement smart infrastructure with minimal adverse effects on the environment (Harnessing Artificial Intelligence for the Earth 2018, 1-7).

Furthermore, other potential benefits of using AI globally can include smart agriculture. Using AI to harvest crops will lead to the early detection of diseases and other issues, providing nutrition and optimizing agricultural inputs. This will increase resource efficiency, reduce water usage, and minimize using fertilizers and pesticides, which harm rivers, oceans, insect populations, and ecosystems. In this sector, AI and other technologies will also introduce robot labor (such as Blue River and chatbots), drones, and synthetic biology for genome analysis. Sensors will measure conditions such as crop moisture, temperature, and soil composition, providing AI with the data to optimize production and identify problems automatically.

Furthermore, other sectors where AI will have an enormous positive impact include weather forecasting and climate change. AI will be able to predict extreme weather events and improve responses to the effects of climate change. Deep learning networks can emulate some aspects of climate simulations, allowing computers to run much faster and incorporate more complexity of the real-world system. So, in time, AI will help create cheaper, faster weather and climate models. There is also an opportunity to formalize, organize, and promote AI for weather and climate science, including international coordination through the World Meteorological Organization.

Additionally, using the community disaster-response data and analytic platform can enhance the effectiveness and prevention of disasters, facilitating a faster response that will further impact the extent of economic losses and human suffering. Harnessing AI to provide better disaster response and planning will require public-private cooperation on a global level (Harnessing Artificial Intelligence for the Earth 2018, 1-7).

## POTENTIAL BENEFITS OF AI IN DEVELOPING COUNTRIES

The potential benefits of AI in the developing world are evident in various fields. In healthcare, for instance, an NGO in Brazil has collaborated with an AI start-up to develop a system for predicting diseases. Another benefit lies in government services and information, aiming to enhance e-governance by automating complex assessments. An example of this is a machine learning system developed to predict the locations of mass graves for victims of Mexican drug cartels (Smith et al. 2018, 3).

Moreover, AI contributes to agriculture, helping address threats to new harvests. Examples include using AI systems to support water management in Palestine and drought monitoring in Uganda. In the realm of education, AI has the potential to advance educational offerings by delivering models for quality personalized learning opportunities. In India, for instance, AI is utilized to develop intelligent tutoring systems (Smith et al. 2018, 3).

Regarding the economy and business, AI offers the potential for higher productivity and serves as a catalyst for growth through new business development, innovation, and the optimization of economies. For instance, companies are working to provide access to financial services in Africa for those who do not use them or lack access (Smith et al. 2018, 3).

Therefore, the use and applicability of AI in the developing world are profound and needed to ensure that all parts of the world have the chance to develop and improve simultaneously.

## POSSIBLE THREATS AND LIMITATIONS OF THE USE OF AI

The most significant debate over the use of AI is in the welfare field and focuses on autonomous weapons. Additionally, the development and use of commercial autonomous systems could result in a lack of expertise for government and military systems, potentially leading to compromised and unsafe autonomous systems in general. Furthermore, the future of AI in the military is directly linked to the ability of engineers to design autonomous systems that demonstrate an independent capacity for knowledge and expert-based reasoning (Cummings 2018, 7). Also, AI will play a substantial role in the national defense of states (West et al. 2018, 6).

Furthermore, as AI influences warfare, the proliferation of zero cyber threats and malware will challenge even the most sophisticated cyber protection. This necessitates significant improvements in existing defenses. Preparing for hyper-war and defending critical cyber networks must become a high priority, as countries such as China, Russia, North Korea, and others are heavily investing in AI, making it a primary focus. In 2017, China issued a plan to build an industry worth \$150 billion by 2030 (West et al. 2018, 7-8). However, these investments in innovations and improvements are only a few among many others that remain unknown to the world.

The drive to be the best in applying AI, especially in warfare, and the aspiration to be the number one superpower in the world may lead to countless consequences for all of humanity. As mentioned, AI should be harnessed for its positive contributions to humanity rather than for military and selfish purposes.

## CONCLUSION

In conclusion, the potential benefits of AI for humanity are vast, spanning healthcare, agriculture, education, poverty prevention, and climate change mitigation. However, alongside these benefits, AI poses significant risks and threats if not properly governed. Issues such as bias, lack of accountability, privacy intrusion, and the potential for misuse in creating deadly weapons highlight the importance of responsible AI development and usage.

Moreover, the rapid pace of AI development outstrips the capacity of existing legislation, policies, and regulations to keep up. A collaborative effort involving policymakers, leaders, corporations, researchers, scientists, and the judiciary is essential to establish comprehensive and universally applicable legislation for emerging technologies. The global applicability of such regulations is crucial to avoid fragmented governance that may hinder effective oversight.

The actions of great powers in leveraging AI resources for national interests contribute to geopolitical imbalances, disrupting the presumed “balance of power”. Rather than solely pursuing national advantages, there is a call for these powers to recognize the broader implications of their actions on the global stage. Cooperation in governing AI, focusing on the greater good of humanity, is essential to navigate the geopolitical landscape and ensure a more balanced and harmonious integration of AI technologies worldwide.

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# CHINA'S STRATEGIC PRESENCE IN EAST AFRICAN PORTS: IMPLICATIONS FOR INDIAN OCEAN SECURITY

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**Abstract:** *This paper examines how China's presence in the East African seaports has created a threat to the Indian Ocean's security. In particular, the research empirically analyses whether China's growing activities in the Western Indian Ocean along the East African coast have dismantled the security architecture of the Indo-Pacific. This paper aims to understand the responses of India and her allies in containing China's rise in the region. The paper has taken three East African ports, Dar es Salaam, Lamu, and Doraleh port of Djibouti, as a case study to examine how Chinese presence in these three ports could dismantle the security architecture of Indo-Pacific in the Western Indian Ocean region. The paper demonstrates that the present competition of power projection in the Indian Ocean is a power maximization strategy for the national security of each state. Using primary and secondary data available on China, India, and other states' policies and activities, the study finds that it is a policy failure of the Indo-Pacific, accelerating China's rise in the region. However, the Indo-Pacific partners are revamping their policies to check China's rise in the Indian Ocean region.*

**Keywords:** African Sea Ports; China; Debt Trap; Indo-Pacific; Western Indian Ocean; India; US

## INTRODUCTION

Great power often makes its presence felt by keeping its foothold worldwide to protect its political, economic, and military power. Material capability building is essential for great powers to get recognition. In this context, the People's Republic of China's (PRC) China's growth as a major power could be seen through its strategic presence at crucial geopolitical locations. Territorial possession is the primary condition for international recognition (Abraham 2014) for any post-colonial state like China. After launching the Belt and Road Initiative (BRI) in 2013, China has focused on land and maritime connectivity (Panneerselvam 2017). Beijing has heavily participated in road, rail, and port construction activities worldwide and wants to achieve its Chinese Dream (Chai and Chai 2013). Chinese presence in various seaports worldwide is part of its plan to be a Great power (Degang 2018).

Ports are crucial to marine logistics and global shipping. From ancient times, ports have been a part of human civilization; they "are the gateway for goods and people to flow into cities and nations" (Tsinker 2004). In this regard, a port's geopolitics are equally significant. A foreign power may invest in a port that is not on its soil to protect its geopolitical interests. Overseas ports could also be used as bases or facilities in international politics. Chinese enterprises are active in most overseas ports, and many of them are in debt traps. The port of Hambantota in Sri Lanka has been taken for 99 years lease, Haifa port in Israel for 25 years, the Durban port in Australia for 99 years and Piraeus port for 99 years. The rising activities of Chinese firms have created the speculation that China wants

to be a sea power. So, the concept of port diplomacy has emerged in the academia and media (Degang 2018). The Port Law of the PRC approves the government and the enterprises to go outside and take part in China's port diplomacy. As a consequence, a security threat from China has been felt by India, the United States, Japan, Australia, and others (Degang 2018).

This paper has taken into consideration three East African ports, Lamu in Kenya, Dar es Salaam in Tanzania, and Doraleh in Djibouti, to analyze the issue of China's growing presence in East African ports and what implication it could have on the security of India and Western Indian Ocean. Africa, and primarily East Africa, is growing as a significant region in terms of politics and economics. The future of global politics could be unfolded in Africa. The continent has many of the fastest-growing economies in the world, and its total GDP currently stands at about \$2.6 trillion. While the economy is growing, many of the states are going through political crises, which could have an impact on the security of the Indian Ocean. The paper will mostly look into India's policies as the region is close to India geographically. At the same time, the paper will look into other problems like the security of the Indian Ocean in the context of China's rise, the strategies taken by India and its allies to counter China in the Indian Ocean region, etc.

The paper offers three major arguments. First, China is trying to be a hegemon in the region by breaking the rule-based order of the region. Secondly, India, the US, and their allies are trying to counter China through various initiatives, though they need to revamp their policies. Lastly, in the anarchic international system, every state is following self-help strategies to protect itself.

## LITERATURE REVIEW

China and Africa have a long history that dates back to the Roman Empire. Beijing's policy towards Africa has been heavily influenced by history (Raine 2009). The Afro-Asian solidarity and China's interactions with the majority of the newly established third-world nations following World War II marked the beginning of the contemporary era of engagement. Beijing's overseas connections deteriorated during the Cultural Revolution. However, economic reforms made China the center of manufacturing in 1978. Around the same period, it became aware of the need for foreign energy, minerals, and resources in addition to political stability (Eisenman and Kurlantzick 2006). As a result, China began to venture abroad and became involved in Africa as part of its Going Global Strategy. It came to light that Africa might meet China's resource needs.

According to Adamas Bodomo (2017), China's goal was to expand economic development and cooperate with Africa in opposition to the West. Beijing wanted to use massive investments to outweigh the unrest at home (Sautman and Yan 2009). One of the foremost experts on China-Africa relations, Deborah Brautigam (1998), claims that by 1995, China had more aid programs in place in more African nations than the United States. China began to give help in the 1970s. She made the case in her groundbreaking book *The Dragon's Gift: The Real Story of China in Africa* (2009) that whereas Western nations have failed to help impoverished Africans escape poverty for years, China has succeeded (mostly without outside assistance). China has trained the military forces of numerous African nations and participated in the UN peacekeeping mission. It has sold weapons and assisted in the launch of satellite missions to several African nations. In order to preserve peace and stability in the area, Beijing has also inked the China-Africa Cooperative Partnership for Peace and Security pact

with the African governments. Owing to its expanding involvement in the area, competing nations like Brazil, Russia, and India have also shown an interest in regional security (Alden and Barbar 2015).

Founded in 2000, the Forum on China-Africa Cooperation aims to enhance investment, commercial, security, and diplomatic ties between China and African nations. The Sino-African connection was formally institutionalized (Taylor 2011). Since China is new to this field and has only begun working in ports in Eastern Africa, there is less research on Chinese activity in these ports than there is on China's engagement in the different developmental projects in Africa covered in length in the literature mentioned above. There is, therefore, less work available, which may have consequences for the security of the Indian Ocean.

This supports the two research hypotheses. The first hypothesis looks at how China's presence in the ports of East Africa will provide it an advantage over other foreign powers in the Indian Ocean area, such as India. The second hypothesis sought to determine whether China's coastal presence in East Africa is a component of its strategy as a superpower.

## RESEARCH METHODOLOGY

The study employed analytical and deductive methods to conduct the research. Data were gathered, and analysis and interpretation were performed on that data. Next, a specific theory was utilized to test the general premise that China is poised to be a threat in the Indian Ocean region due to its increasing activities in the selected East African ports. The study examines the implications that the Chinese presence in the three ports of East Africa could have on Indian Ocean security.

The study has both independent and dependent variables. China's presence in East African ports is the independent variable. Any changes in the independent variable will have an impact on the Indian Ocean security.

The work is based both on primary and secondary sources. Primary sources include government reports, speeches, legal and policy documents, and news reports of the People's Republic of China, Tanzania, Kenya, Djibouti, India, and the USA. Secondary sources include books, journals, periodicals, and internet sources.

## THEORETICAL FRAMEWORK

John Mearsheimer's (2001) "offensive realism" works as the base of this study. According to offensive realism, great powers always seek ways to gain an advantage over their competitors, with hegemony as their ultimate objective. So, they make the most of their authority. They compete with one another for power for the following five reasons. The international system is, first and foremost, anarchic, and there is no central authority. Second, every great power has some offensive military capacity to obliterate an adversary or rival state. Thirdly, no state could be certain of another state's intentions in this system. Therefore, a warlike scenario exists all the time. Next, inevitably, states will always strive to survive under this circumstance.

Last but not least, great powers aim to behave strategically in this unsettling environment to survive since they are rational actors. Along with their behavior, they consider the actions of others and how they may affect their survival strategy. Being the hegemon in the system is the ideal strategy since it goes beyond power maximization. States may also band together to contain the adversary.

Nevertheless, the best strategy for surviving is self-help. The state will attempt to increase its authority whenever there is a chance. The theory implies that China's activities in overseas ports are part of its power maximization strategy. Along with this, China is building its capabilities, which reflect the self-help strategy. On the other side, Indo-Pacific and other initiatives by India, the US, and its allies reflect the bandwagon of states to counter the aspiring hegemon.

Alfred Mahan's "sea power" is also a part of the study's theoretical framework. Mahan (1898) emphasized the contribution of maritime power to international politics. He believed that sea travel was preferable to land travel and that it was crucial to have naval bases. As a result, the water serves as a major thoroughfare for human traffic. He also forecasted China's ascent and stated that the US should be concerned about China's power projection in the future. China's investment in various African seaports could be related to Mahan's idea. It is known that China wants to suppress the US naval power, thereby dominating the sea. At the same time, it has invested in various ports as part of its commercial activities. Beijing wants to create strategic strongpoints across the main maritime routes.

### CHINA'S INTEREST IN EAST AFRICAN COAST

China's presence on the East African coast is not new, and for a longer time, it has participated in the development-related activities of various Sub-Saharan countries. The recently published Beijing Action Plan (2019-21) reflected its agreement on cooperation and exchange between seaports and emphasized assisting in developing them. It is well-known that China has taken part in the seaport reconstruction of various African countries for the last couple of years. Through these activities, China's growing presence could be felt in the Western Indian Ocean region. China's relationship with the East African states could be traced back to the expedition of "eunuch admiral" Zheng He from the Second Ming Emperor, who reached Malindi (East Africa) and Mogadishu (Somalia) around 1405 (Harkavy 2007).

China's investment in the infrastructure development projects of Africa started around the 1970s as part of the anti-colonial solidarity it shared with the African states. At the same time, China has always kept African countries by its side to get support against Taiwan and accept the One China Policy. Firstly, China is a development partner in Africa. Beijing is committed to the region's prosperity, and at the same time, China has invested in Africa for its economic needs. The African countries got interested in Chinese aid around the 1990s as there were fewer conditions than in the West.

Moreover, China is more concerned about development than the West's idea of human rights. They have been able to link business and aid in an innovative way (Brautigam 2009). Eastern Africa is rich in natural resources like petroleum, natural gas, copper, gold, and minerals like diamond and graphite. As the natural resources, the vast market, and the reliable partners of Africa are essential for China, they are part of China's global ambitions (Alden 2007). The Tazara railway link is an early example of Chinese infrastructure development. Kenya has created the Zhujiang economic zone to promote the Chinese development model (Sun 2018). China has invested in port construction, hydropower projects, and rail and road construction in most East African countries. The Forum on China-Africa Cooperation was also established in 2000 to promote diplomatic, trade, security, and investment relations between China and African countries.

Energy is one of the major areas in which China wants a strong presence in the region (Alden 2007). Africa is the second largest region after West Asia to supply energy to China. In East Africa, China is present in Tanzania's natural gas sector, Ethiopia's natural gas, and Kenya's crude oil. China's presence in the oil sector of South Sudan and Sudan is an interesting case of how China has been able to survive there despite the violent civil war.

Despite this, there is criticism of promoting an anti-democratic agenda in Africa against China (Alden 2008). China has worked just for profit with the corrupt African regimes that were against democracy. China's financial investment, trade, and aid make it possible to extract raw materials from developing countries, which portrays China's behavior as an old colonizer (Balasubramanyam 2015). Despite the growing anti-China consensus in several countries, Chinese investment remains popular among East African countries, such as Kenya (Hakata and Cannon 2022). As its strength increases, it would be able to establish an Atlantic base easily. If China opens another naval base in the African continent, the Indo-Pacific region would become much more volatile and complex.

### THE GROWING SIGNIFICANCE OF THE WESTERN INDIAN OCEAN

In the last two decades, China's interest in the Indian Ocean region has expanded significantly. Almost 80 percent of China's oil imports pass through the Indian Ocean and the Strait of Malacca. Furthermore, 95 percent of China's trade with West Asia, Africa, and Europe transits through the Indian Ocean. According to Beijing, the United States and India exert control over the Indian Ocean region. In response to this perceived scenario and to safeguard China's interests in the Indian Ocean region, China has increased its activities since 2000. The Chinese Navy has undergone modernization, engaged in visits to various ports, and subsequently initiated investments in the region. China aims to limit the influence of the US and India in this area, leading to an expansion of its military presence and economic activities.

The Western Indian Ocean stretches from India's West Coast to Africa's Eastern Coast. The Western Indian Ocean region connects North America, Europe, and Asia. Major sea lines of communication are passing through the region. The Gulf of Aden and the Red Sea are important channels to move towards Europe. It is accompanying the Persian Gulf from where energy is passing. It shares the history of the Precolonial trade between the Indian subcontinent and the East African coast, including the Arab world (Bose 2006). As British power declined in the region and the Cold War started, the center of geopolitical interest was moved to the Persian Gulf. For a longer time, the Western Indian Ocean gained less significance in international politics (Bueger 2021). The region was taken seriously with the growth of maritime piracy around 2000. Eventually, the foreign military conducted an anti-piracy operation to protect the major sea lines of communication from the Somali pirates.

With the rise of India and China in world politics, the power of the center started to move from Euro-Atlantic to Asia. India and China have the same interest in Eastern Africa. China has a much stronger presence in East Africa than India. Though India shares close ties with all the states of East Africa (Pant 2016), China has beaten India in terms of activities and investment. So far, China has organized eight summits of FOCAC, the last being held in 2021 and the last India-Africa Forum summit in 2015. In Africa, India stays in the shadows of China (Naidu 2010). India has a vast diaspora in

the East African states. India has also participated in various infrastructure development projects. Nevertheless, in terms of economic investment, China is ahead of India (Tharoor 2013). Despite these issues, India is trying to compete with China in the new age scramble of Africa (Xavier 2015).

## CHINA IN THE PORTS OF EAST AFRICA

After the introduction of the Maritime Silk Road in 2017 under the umbrella of the Belt and Road initiative, China has hugely invested in various parts of Africa. The Chinese firms have taken the lead in port reconstruction or building new port facilities. All over Sub-Saharan Africa, China is present in 46 ports. Both on the Atlantic coast and on the Indian Ocean coast, Chinese activities have increased significantly. The African ports played an important role in Beijing's Belt and Road Initiative, which will give access to the region's trade and economic development and strengthen the PLA's foothold. Port reconstruction and building new ports are part of Africa's development initiative. Ninety percent of African trade is dependent on ports. Within the 46 ports of Sub-Saharan Africa, Chinese naval vessels have visited 6, according to a CSIS report. In most of these ports, China directly owns the port or invests through funding, and lastly, takes part in construction. In West Africa, the Tin-Can Island port of Nigeria is funded and operated by China Merchants Port. In Southern Africa, the Tamatave Deep Water Harbour in Madagascar is operated and financed by China.

Most East African ports are situated along major sea lines of communication and maritime checkpoints. Given the limited number of ports in the region, both coastal and landlocked states depend on them. Consequently, East African states have recognized the need to construct new ports capable of handling large cargo volumes. Chinese officials view foreign ports as strategic strongholds that should serve as strategic and economic assets. These ports should possess a strategic location, attract Chinese investments, and be utilized for economic, military, and diplomatic interactions. Through these activities, China has taken part in global governance (Degang 2018).

### Lamu Port

Kenya is strategically located in the Indian Ocean region, bordered by landlocked South Sudan, Ethiopia, and Uganda. South Sudan, Ethiopia, and Somalia are currently experiencing political crises. Kenya's Lamu port is a crucial component of an ambitious transport corridor connecting Lamu (a small archipelago north of Mombasa in Kenya), South Sudan, and Ethiopia. The \$25.5 billion LAPSET (Lamu Port-South Sudan-Ethiopia Transport Corridor) project encompasses the construction of a new port with 32 berths, new roads, a 1,500km railway line, and a pipeline. This comprehensive initiative is slated for completion by 2030, aligning with Kenya's "Vision Strategy 2023" (Jiixin 2022). The LAPSET project aligns with the Belt and Road Initiative under the "4-6-1" framework of China-Africa cooperation, consisting of 4 principles (equality, pragmatism, sincerity, and faithfulness), six projects (industry, finance, poverty reduction, ecological protection, humanistic exchange, and peace and security), and one platform (Forum on China-Africa Cooperation). The \$449 million contract for the first three berths was awarded to China Communications Construction Company Limited (CCCC) in 2015, with construction commencing in October 2016. The port officially commenced operations in May 2021. CCCC has provided \$478 million in financing and \$689 million from the Kenyan government (Jiixin 2022).



## Port of Dar es Salaam

The Port of Dar es Salaam, located in Tanzania, is the fourth-largest port along the Indian Ocean coastline of the African continent. This port is a crucial gateway, providing facilities for landlocked countries such as Malawi, Zambia, the Democratic Republic of Congo, Burundi, Rwanda, and Uganda, all sharing borders with Tanzania. The strategic positioning of the port establishes vital connections with East and Central Africa, Europe, Australia, America, the Middle East, and East Asia.

As part of the Dar es Salaam port modernization project, various enhancements were undertaken, including the strengthening and deepening of berths 1-7 and the RORO terminal, dredging of the entrance channel, turning circle, and harbor basin, as well as the strengthening and deepening of berths 8-11. Additionally, the project involved the construction of a new terminal jet. The responsibility for the reconstruction and expansion was entrusted to China Harbour Engineering Company (CHEC), a China Communication Construction Company subsidiary. In 2017, the Tanzanian government entered into a \$154 million agreement with China Harbour Engineering Company (CHEC) to expand the port, with funding provided by the World Bank. The completion of the port was initially scheduled for 2020, and as of 2022, seven berths have been initiated.

In addition to the Dar es Salaam port, China has been involved in the Matwara port and the Bagamoyo port projects. However, the Bagamoyo port project was canceled by former President John Magufuli due to what he perceived to be “abusive and tricky” conditions imposed by Chinese promoters. These conditions included a request for a 33-year guarantee and a 99-year lease. The new President, Samia Suluhu Hassan, has since resumed the contract.

Concerns have been raised about the secrecy surrounding many of these deals with African leaders who may be susceptible to corruption (Kinyondo 2019). Growing apprehension is that such arrangements could potentially lead countries like Tanzania into a debt trap.

## Doraleh Multipurpose Port

The Doraleh Multipurpose Port is located in Djibouti, strategically positioned at the confluence of the Red Sea and the Indian Ocean, and is connected to the Addis Ababa-Djibouti Railway. It is situated along one of the world’s busiest shipping lanes. Landlocked Ethiopia relies on the ports of Djibouti for its maritime access.

The construction of the port, valued at \$590 million, was jointly financed by Djibouti Port and China Merchants Holdings International (CMHI). One of the six berths is utilized by the People’s Liberation Army (PLA) as its first overseas naval base, an agreement that was reached in 2015. CMHI completed the project in 2017, and since then, the Chinese Navy has been active in the area, conducting its first exercise in 2017. In 2013, the government allocated 23% ownership to the Chinese company.

Djibouti hosts naval bases from the United States, France, Japan, Italy, and China. Situated on the Bab el Mandeb strait, China’s presence has heightened concerns among the United States and its allies. In addition to the construction of the Doraleh port, China Merchants Holdings International (CMHI) is involved in various projects, including a major railroad to Addis Ababa, an underwater fiber-optic cable built by Huawei, an international airport, an international free trade zone, water and natural gas pipelines, and other infrastructure facilities (Kardon 2022). The China Merchants Group

has committed to financing and developing the old port of Djibouti, serving commercial and strategic purposes for China in the Horn of Africa.

Chinese officials state that the base will play a role in humanitarian relief, supporting Chinese peacekeeping efforts in Africa and participating in anti-piracy missions. China's involvement in port construction aligns with its development-focused approach to democracy, as it believes that through development, peace and prosperity can be achieved (Zhiqiang and Degang 2020).

## IMPLICATIONS FOR INDIA AND INDIAN OCEAN SECURITY

The Indo-Pacific has emerged as a new geopolitical arena, driven by increased Chinese activities in the region. "Indo-Pacific" refers to the area between the Indian and Pacific oceans. The late Japanese Prime Minister Shinzo Abe is credited with introducing "Indo-Pacific" as a strategic framework. In an August 2007 speech to the Indian Parliament titled "Confluence of Two Seas", Abe articulated his vision of a broader Asia, emphasizing the Pacific and Indian oceans as a dynamic union fostering liberty and prosperity. Subsequently, India, the United States, and Australia incorporated the concept of Indo-Pacific into their defense and security policies. The Indo-Pacific region spans from the Eastern Coast of Africa to the South China Sea.

For an extended period, the Indo-Pacific region was overlooked in the security architecture of the US strategy. Washington was heavily engaged in its Global War on Terror and invested significantly in defense in West Asia. Almost two decades after the withdrawal of the US army from that area, the US has shifted its focus to the Indo-Pacific. Following the Cold War, the United States emerged as the sole superpower and fostered the Liberal International Order to uphold peace, prosperity, and democracy. However, Chinese activities, which do not align with promoting democracy and go against the rule-based order, have posed serious challenges to the liberal international order (Ikenberry 2018). China has also accused the US-led liberal international order of impeding the development of developing countries and exacerbating the North-South divide.

Due to unlawful piracy and China's significant investment in various parts of Eastern Africa, the region faces significant security concerns. In response to China's substantial development in the area, Indo-Pacific members have incorporated Africa into the broader Indo-Pacific security architecture. China's assertive role and its indirect involvement in the domestic politics of various countries across the Indian Ocean, such as Sri Lanka and Pakistan, have also contributed to instability in South Asia. Reports of Chinese surveillance ships spying near the Indian coast have raised concerns in India. In 2019, the Chinese survey ship Shi Yan 1 was detected within India's exclusive economic zones near Port Blair.

Additionally, there were reports of Chinese Navy warships operating in the Indian Ocean region. Former Chief of Naval Staff of India, Arun Prakash (Prakash 2021), argues that Chinese activities will likely increase in the Indian Ocean, necessitating a strengthened security agenda for India.

China has also expanded its activities in the South China Sea (Lewis and Litai 2016), asserting major territorial claims through its nine-dash lines.

Beijing has also claimed an estimated 11 billion barrels of untapped oil and 190 trillion cubic feet of natural gas in the region (Eurasian Times 2022). These claims have created major disputes with Brunei, Indonesia, Malaysia, the Philippines, Taiwan, and Vietnam. Moreover, China has also objected



to the Freedom of Navigation of other states like the US and India. China's aggressive move in the South China Sea is definitely a major security concern for the Indo-Pacific (Rubin 2022).

To foster an open and inclusive Indo-Pacific, the United States, Japan, India, and Australia have established the Quadrilateral Security Dialogue (Quad). China has labeled Quad as the Asian NATO, alleging that these countries aim to secure their maritime zones while curbing China's rise in the region (Hakata and Cannon 2022).

In September 2021, Australia, the United Kingdom, and the United States signed a new trilateral security partnership to equip Australia with conventionally armed nuclear-powered submarines. The signatory states argue that this arrangement is necessary to counterbalance China's growing influence in the Indo-Pacific region. Simultaneously, the United States and its partners in the Indo-Pacific express their commitment to upholding international laws, human rights, and the freedom of navigation. Nevertheless, China has accused the Australia-UK-US partnership (AUKUS) of introducing nuclear power into the region.

In December 2022, the US organized the US-Africa Leaders' Summit to enhance engagement with Africa. While China has hosted eight FOCAC summits, the US has only hosted two, with the first in 2014. According to Washington's new Contain China Strategy, it will invest, align, and compete with China. In pursuing this strategy, it will align with its partners worldwide to compete with China.

India formed the Indian Ocean Rim Association, of which most of the East African states are members. The Indian Ocean Rim Association wants to create sustainable growth and development. Through this origination, India is committed to cutting off the Chinese influence from the region. Japan announced a free and Open Indo-Pacific from Kenya in the Western Indian Ocean region. The United States wants more military cooperation with India in the newly emerged Western Indian Ocean region. Australia is also seeking more regional agreements in the Western Indian Ocean region. East Africa and the Western Indian Ocean are essential for the growing need for energy security.

The government of India has taken China's presence in the three East African ports very seriously. As a result, India has started to build stronger relationships with Kenya, Tanzania, and Djibouti countries. Prime Minister Narendra Modi visited Kenya in 2016 and signed defense, trade, and development agreements. Later, President Kenyatta visited in 2017 and discussed increasing defense and maritime security. External Affairs Minister Dr. S. Jaishankar officially visited Nairobi in 2021. He argued that both India and China are committed to the security and safety of the Indian Ocean.

Prime Minister Narendra Modi visited Tanzania in 2016, followed by several high-level visits from both countries. India and Tanzania are cooperating in the area of hydrography. Indian naval survey ships have conducted hydrographic surveys in Tanzanian ports and prepared navigational charts. In 2019, India opened its resident mission in Djibouti. Colonel Moustapha Ali Handouleh, Defence Advisor to the President of Djibouti, visited Lucknow on a defense delegation to attend DEFEXPO 2020. An invitation was extended to Djibouti to participate in MILAN 2022, and the ambassador to India represented his country at MILAN. The Government of Djibouti has received four Government of India-supported Lines of Credit (LOCs) totaling US\$50.39 million from EXIM Bank in four installments for the development of a cement plant at Ali Sabieh (Ministry of External Affairs, India 2022).

India has organized two Defence Ministers' Conclaves in 2019 and 2022 for African states. In both conclaves, India has committed to ensuring a secure maritime environment across the Indian

Ocean. East African countries like Kenya, Ethiopia, Tanzania, and others participated in the second India Africa Field Training Exercise held in Pune in March 2023 alongside the first Africa Chief's Conclave. India has signed the Agreement on Reciprocal Provision of Supplies and Services with Japan, enabling the use of Japan's naval bases. Through these agreements, India can utilize Japan's naval base in Djibouti. India is committed to the peace and stability of the Indian Ocean through its Security and Growth for All in the Region (SAGAR).

India's bilateral trade with Africa reached \$89.5 billion in 2021-2022, compared to \$56 billion the previous year (DW News 2022). Delhi has expressed its intent to reach a trade pact with Africa. India has emerged as one of the top five investors in Africa in recent years. In 2018, while addressing the Ugandan Parliament, Modi outlined the "Kampala Principles" for India's engagement with Africa, including the prime minister's vision for promoting economic growth and addressing challenges such as terrorism and climate change.

The Asia-Africa Growth Corridor is a competitive initiative of the Belt and Road Initiative (BRI) by India and Japan to connect East Asia, South Asia, and Africa through economic cooperation, infrastructure construction, and people-to-people contact. In November 2017, Indian President Narendra Modi proposed the Asia-Africa Growth Corridor Initiative at the 52nd Annual Meeting of the African Development Bank. The project aims to connect East African states like Kenya, Tanzania, and others with Indian ports (Gateway House 2019).

In December 2022, India assumed the G20 presidency from Indonesia. This new achievement could be instrumental in revamping the relationship with Africa by transferring Indian innovations, thereby contributing to the peace and stability of Africa. Indian Prime Minister Narendra Modi has requested other G20 members to consider the inclusion of the African Union as a permanent member of the grouping. India has also signed a maritime cooperation agreement with ASEAN to promote openness, transparency, inclusivity, a rules-based framework, good governance, and respect for sovereignty and non-intervention across the Indo-Pacific region.

## CONCLUSION

The Western Indian Ocean region is emerging as a new geopolitical area within the Indo-Pacific, with increasing Chinese activities. While most Indo-Pacific stakeholders have focused on countering China in the region, India could lead the agenda. New Delhi shares a deep bond not only with Kenya, Tanzania, and Djibouti but also with other states like Mauritius, Madagascar, and South Africa. India, along with the US, Australia, Japan, and other partners, should strive to formulate new policies for a free and open Indo-Pacific. India and its Western allies bear responsibility for the growth of China in the Indian Ocean due to their imprecise policies for an extended period.

Therefore, India and its allies are working under various security arrangements to check Chinese activities. States should pay close attention to ensuring that the ports along the East Coast of Africa do not fall under China's debt trap, and democracy should be maintained in the region. China should not violate the Law of the Sea, and an open sea should be a priority to maintain peace and stability. Although it is unpredictable what kind of order will emerge from the old one, it is essential to observe how India and its partners will strive to maintain peace and stability in international politics as well as in the Indo-Pacific. Finally, it is pertinent to agree that states will always compete to secure their position in the anarchic system.

## CRediT AUTHOR STATEMENT

**Sharmistha Hazra:** Conceptualization, methodology, resources, writing - original draft.

**Pranav Bhaskar:** Review and editing.

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# RETHINKING EUROPEAN SECURITY: THE STRATEGIC NEXUS AFTER RUSSIAN-UKRAINE WAR

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**Abstract:** *This research is focused on the ongoing Russian aggression towards Ukraine, which has already resulted in a changed security architecture of Europe and, hence, increased security concerns not only in the region but also facilitated geopolitical shifts globally. Through the prism of exploratory-descriptive qualitative methodology, research strived to analyze the increased geopolitical concerns and challenges for Europe that led to significant changes in the security paradigms of the countries within the EU and increased accountability, as well as reluctance in terms of current security arrangements. Volatile military and political security and economic, social, and transnational challenges emerged as vibrant signs that European and global security will not be the same in the upcoming years.*

**Keywords:** *Europe; Russian Aggression; Security; Ukraine; War*

## INTRODUCTION

The ongoing Russian aggression towards Ukraine, which started in 2022, has significantly contributed to the fragile security architecture of Europe and, hence, increased security concerns not only in the region but also prompted geopolitical shifts globally. As main security actors, the overwritten geopolitical realities and subsequent challenges urged the North Atlantic Treaty Organization (NATO) and the European Union (EU) to rethink their domestic and international policies within the transpired security context. Despite the uncertainty of medium and long-term effects, efforts from Member States to preserve more responsibility for their security were evoked soon after the war hit. European states have relatively increased military expenditure and spending on defense, significantly changing their security paradigms. The concerns over European security gained a greater dimension concerning Russia's containment and other political, economic, and social insecurities posed by the war.

February 2022 marked a flashpoint in the conflict life cycle that manifested in 2014 with Russia's annexation of Crimea, followed by years of conflict between Russia and Ukraine. The West has tried to assist Ukraine by imposing sanctions on the aggressor. However, the roots of the conflict trace back to 2008 when Russia intervened in Georgia, occupying 20% of Georgian territory and recognizing the self-declared independence of two longstanding breakaway Georgian regions, Abkhazia and the Tskhinvali region.

Despite alerts to all indirect and interested parties, including Ukraine, regarding Russia's vulnerable imperial instincts and the costly consequences after 2008, NATO and the EU expressed extremely naive and insufficient efforts to deter Russia from further aggression. Europe has consistently sought to avoid Russian unpredictable offensives, especially when some European states struggle to reach a consensus on transforming the EU into a geopolitical union. These states prioritize their homeland security while leaving room for possible future relationships with Moscow.

Except for balancing urgent needs, other social impacts and political risks are vital for Ukraine's effort to strategically prioritize reconstruction and European contribution to deter the existing challenges and aroused transnational threats. As such a massive war has not emerged in Europe since the 20th century, its global implications should not be underestimated. Instead, the West is now facing a Russia that is no longer bound by the consensus on European security established by the 1975 Helsinki Final Act, the 1990 Charter of Paris, and subsequent agreements (Ischinger 2015). A handful of measures have been taken across Europe that stand out from a constitutional perspective, both in state constitutions and the overarching "security and defense constitution" of Europe, that is, the legal, institutional, and political arrangements governing security and defense across the European States (Moser 2022).

## METHODOLOGY

The research was conducted through the spectrum of exploratory-descriptive qualitative methods. Through analysis of primary and secondary data, including content and discourse analysis, interpretation of theories and empirical data, the study strives to analyze the impacts of the Russian-Ukraine war on European and global security, identifying concerns and challenges following the military intervention, implications through the prism of the military, political, economic, and social analysis, and facilitate the shifts in direct and key interested sides efforts to orient their policies from the narrow military dimension to more complex scenarios.

## THEORETICAL FOUNDATION AND LITERATURE REVIEW

Since the second half of the 20th century, it has been widely argued that the significant shift in the post-World War II military-political balance remarkably changed the political destiny of the European continent. Despite the Eurocentric epistemologies continuing to maintain the narratives of the "privileged West" and relevant geopolitical conceptions, the emerging bipolar world order notably lessened Europe's gambit.

The EU remained a free rider in self-defense, which is not, *per se*, a noble posture (Bailes 2008). However, the internal project of the EU has been drastically fueled in the 21st century, reviving the organization and, hence, its Member States in the heart of the global fervent politics. The role of united Europe in global security and its outward- and forward-looking EU foreign and security policy within the perspectives of the global strategy has been seen as increasingly significant, especially after the Russian invasion of Georgia and, later, Ukraine. European Parliament resolution of 12 March 2019 on building EU capacity on conflict prevention and mediation (2018/2159(INI)) enables the organization to enhance its conflict prevention and resolution mechanisms.

It envisages the EU's aspirations for *sui generis* strategic autonomy. At the same time, the war in Ukraine has led to significant changes in the security paradigms of the countries within the EU and increased accountability, as well as reluctance in terms of security arrangements.

The scrutinized acute global challenges characterize the world's politics nowadays. Besides military-political insecurities and a fragile global security system, climate change, famine, energy problems, and world financial crises have emerged as acute global threats. Different geopolitical and geo-economic goals, incompatible security interests, and different perceptions of international security contributed to the start of the Russian-Ukrainian war. Considering the emerging consequences and global impact on the rest of the world, there are different angles concerning the results of the Russian-Ukrainian war. One of them has been officially claimed to be NATO's eastward expansion over the past decades. The vision of the Russian political leadership in the context of the formation of the modern Russian state has a pivotal importance, where Slavic Ukraine and Belarus, as well as other former post-Soviet states, occupy an important place.

Russia's strategic visions' political system and policy arrangements significantly differ from the Western ones. Western security architecture is primarily based on mutual respect, sharing values, and respect for socio-political and economic life norms. It adheres to such fundamental principles as human rights, democratic form of government, freedom of speech and expression of opinion, and others. These distinguish the Western values from the Russian party-based political system.

After the collapse of the Soviet Union (USSR) and the expansion of NATO to the East, the Russian political elite believed that the West took advantage of Russia's weaknesses, did not fulfill the promise given to the Soviet Union not to facilitate the former Warsaw Pact and the USSR Member States to join NATO. Andrei Kozyrev, who was acknowledged as the most pro-European foreign minister, noted that Russia should be and remain a "normal global state". According to Sergei Karaganov, a well-known Russian political scientist and scholar, Russia must ensure global obligations. It must remain the center of global gravity as "Russia had not just a set of interests, but a special mission - a 'heavy cross' to bear - in the territories of the former Soviet Union" (Rumer 2016). According to his assessment, Russia bears a number of obligations and responsibilities in the former post-Soviet space. It has a special mission to ensure the preservation of Russian influence in these territories and, accordingly, to promote Russia's stay in global politics (Rumer 2016). In 2007, at the Munich International Security Conference, Vladimir Putin, the President of the Russian Federation, stated that the further expansion of NATO to the East would undermine the long-term relations between Russia and the West and the strengthening of mutual trust; highlighting the fact that the West does not recognize and does not want to see Russia as a global power.

From the Russian elite's perspective, the West did not fulfill the promise given to Russia to facilitate NATO expansion for the sake of neglecting Russian interests. British diplomat and former chairman of the Joint Intelligence Committee, Sir Rodric Braithwaite, notes that at the time, Western political circles made Gorbachev promise not to expand NATO further. According to Johns Hopkins University professor Mary Sarotte, during the collapse of the USSR, there was an active discussion that the unified Germany would not be a member of any military alliance and that there would be no foreign military elements on its territory. On the issue of not expanding NATO further, there was a conversation between the US President's National Security Adviser and former CIA director Robert Gates and the head of the KGB of the USSR, Vladimir Kryuchkov, where the American side assured the head of the KGB that there would be no further enlargement of NATO (Dibb 2022).

John Kennan, a well-known American expert on Russia, also focuses on NATO's eastward enlargement plans and claims that the extension of NATO influences will be a serious mistake of the American foreign policy, which will lead to the coming to power of anti-Western, nationalist forces in Russia, and further militarization of the country. According to him, such a policy would put an end to the West's attempt to transform Russia into a Western-style modern democracy (Kennan 1997).

The main argument for the post-Soviet communist countries joining NATO and the European Union is to protect themselves from the further aggression of economically and militarily strengthened Russia. Joining the Euro-Atlantic community would significantly increase the quality of their economic and political life. Western political elites argue that NATO expansion is partly beneficial for Russia itself, as it can bring more stability and development to Russia's borders. According to the Kremlin, the primary objective of NATO's expansion to the East was to strengthen Western influence and prevent the resurgence of a new powerful Russian state, thereby eliminating the roots of the Russian Empire.

Following the collapse of the USSR, awareness of the West and its values was relatively low in Russian society.

Conversely, the influence and recognition of the Soviet ideology were higher. Vulnerability and repression are additional cornerstones hindering the spectrum's pro-Western alignment. The most famous opponent of the values-based security system in Eurasia is the American scientist Samuel Huntington, who proposed the logic of the emerging confrontation between civilizations. The former adviser of the US president on national security issues, Zbigniew Brzezinski, claimed that implementing purposeful US foreign policy would prevent Russia from re-emerging as an empire. He wrote, "America is now Eurasia's arbiter, with no major Eurasian issue soluble without America's participation or contrary to America's interests" (Brzezinski 1998). These articulations further highlight the classical realist thought, where:

Invariably, [states] attempt to maximize their power, and as power is a main source of legitimacy, values, cultures, and institutions pervasively influence how states define their interests. States define threats in terms of the intentions of other states, and those intentions and how they are perceived are powerfully shaped by cultural considerations (Huntington 2011, 207).

While materializing interests and preserving spheres of influence that are paramount for the competing states to occupy the legitimate positions of the "world's paramount powers", growing geopolitical ambitions accompanied by value differences provide an explosive combination for conflict situations. At the Yalta Conference, the allies agreed on "the ultimate realist compromise, leaving much of Eastern Europe under Soviet domination. Roosevelt and Churchill were wisely yielding principles to pragmatism by providing Soviet Russia with a buffer zone on its western flank" (Kupchan 2022).

Such strategic restraint has worked effectively for a specific period, but not during the post-Cold War era with the changed geostrategic realities.

Later on, the issue of SFR Yugoslavia has been a concern for Russia. The Russian political spectrum believes that the breakup of Yugoslavia served the purpose of reducing Russian influence in Europe and encouraging destabilizing actions in Russia. The disintegration of SFR Yugoslavia in the 1990s and the Yugoslav wars prompted the interest of the West in the Balkans, analyzing the

perspectives of it becoming another flashpoint due to the high antagonism in the region. While much of the region seeks deeper integration with the EU and NATO, experts say Moscow is trying to leverage simmering tensions to block those efforts (McBride 2022). Former Secretary of State Henry Kissinger also spoke about Russia's policy through the lens of *realpolitik*. He said Russia's security must spread its influence in the close neighborhood. However, CIA Director William Burns has a slightly different opinion. It explains that Russia and its president want to gain even more influence and power (Dibb 2022).

The altered geopolitical realities have challenged Russian military capabilities and the Kremlin's aspirations for achieving victory at any cost, rendering Russia a "wounded beast". However, its ultimate behavior may lead to irreversible consequences. The war has limited the circle of individuals whom the Russian president can listen to. Furthermore, divergent claims of Russian military success, failure, and counteroffensive perspectives have positioned Putin in a dead-end situation. Therefore, it is not surprising that Putin is attempting to maximize his power and efforts to turn Russia into a totalitarian state. Suppose the goal of Russia's expansionary policy is considered to be increased homeland security on the one hand and the revival of a more powerful imperial Russia on the other. In that case, the Kremlin will strive to keep its allies tightly within its orbit. This aims to unsettle the positions of the US, EU, and NATO, transforming the Russian-Ukrainian war into a matter of life and death. Russian officials believe the West could not provide international assistance to Ukraine for the long term, as was found during the war. Scientific assumptions are also becoming more visible in Western informational sources, claiming that:

Ukraine's current counteroffensive will not throw Russia out - not that anyone expected it to. Nor is it likely to cut the occupation in half before the winter, which might have been one of the more optimistic aims. It has, however, shown how the Russian army can be beaten. Not in 2023, but in 2024 or 2025. Thus, the refrain among Western allies of supporting Kyiv 'for as long as it takes' (Barrons 2023).

Therefore, achieving victory over Ukraine is existential for Russia, as it determines its future well-being, existence, and positioning in world politics. Further considering the historical roots of Russian imperialism, the creation of the first Russian Slavic Orthodox State in the form of Kievan Rus began in the 8th-9th centuries. Thus, Russia's attempt to establish itself as a legitimate global power is unlikely to be fulfilled without Ukraine remaining within the Russian political orbit.

## IMPLICATIONS OF RUSSIAN-UKRAINIAN WAR

Russian aggression has exposed different perceptions regarding the sustainability of the European security system. On the one hand, it has demonstrated the strengths and more remarkable manifestations of unity within the West in the face of global challenges. The war has brought economic, energy, food, logistical, transit, and other transnational security challenges in Europe and globally. European and US military and financial aid to Ukraine are also increasing in response to the Russian invasion. Until November 2022:

The US provided \$47.8 billion in military and financial aid to Ukraine. As of February 2023, US military aid for military purposes alone since the 2014 annexation of



Crimea totals \$32 billion. On the other hand, the EU provided financial assistance to Ukraine in the amount of 35 billion euros for the year 2022 (Grieger 2023).

Europe and the US expressed their readiness to provide additional financial assistance for 18 billion euros for 2023 (Ráczová 2023, 3). Before the war, the financial institutions of the EU Member States invested up to 17 billion euros in Ukraine. At the end of 2022, at least 349 billion USD were needed to rebuild war-torn Ukraine (Ráczová 2023, 3-4).

Considering the imposed embargo on Russian natural resources, the price of natural gas has increased significantly, which in turn has substantially increased the daily living costs in Europe. The increased costs and severe consequences of the Covid-19 pandemic made financial and economic elites reluctant to make new investments in various areas. Since the start of the war in Ukraine, companies' risk of losing investments has increased from 8% to 15% (Bank 2022). Furthermore, the economic situation in Europe is imperiled by the fact that competing countries are the leading producers and exporters of global grain production. In parallel with the Russian invasion of Ukraine, Russia blocked the export of 20 million tons of wheat from Ukraine (EEAS Press Team 2022) and bargained over releasing the imposed sanctions. Increased prices on primary commodities have pushed inflation further and affected the whole region with disruptive trade policies, increased risks of investment sustainability, and business confidence. Russia and Ukraine account for 25% of global grain exports, of which 18% are Russian exports and 7% are Ukrainian exports (Guénette, Kenworthy, and Wheeler 2022, 11).

Russia is an important world exporter of aluminum (10%), crude oil (11%), nickel (22%), agricultural fertilizers (14%), natural gas (25%), palladium 23%, etc. (Guénette, Kenworthy, and Wheeler 2022, 11). Considering the consequences of the war, in order to solve the food crisis, the European Union was forced to mobilize additional financial resources to boost the production of agricultural products within the European Union and to solve the food problem in African countries. For this purpose, the European Union mobilized 1.858 billion euros in 2022 (Guénette, Kenworthy, and Wheeler 2022, 30). The war has raised the issue of disruptions to grain procurement and subsequent exports, increasing threats to agricultural insecurity globally and in Africa (European Investment Bank 2022).

The war in Ukraine has significant consequences in terms of a historic surge in refugee flows. Since the beginning of the war, about 8 million Ukrainians have left Ukraine, with most fleeing to European countries, predominantly Germany, Poland, the Czech Republic, Hungary, Slovakia, and Georgia. The repercussions have led to higher inflation and fluctuations in monetary systems and significantly damaged the regional and global trade and tourism sectors. International transit and logistics routes are yet another critical issue to consider. Russia has been destroying the agricultural infrastructure of Ukraine, "thereby disrupting the entire supply chain. The Black Sea and Azov Sea had been blocked by Russia, and the Ukrainian grain shipments were hijacked in the early months of the attack" (GEP 2022). Indeed, this also raises sea transportation costs for Europe and other countries. It is worth mentioning that the ongoing war has also created significant problems for air transportation.

Approximately 20% of global air cargo shipments were impacted by the ban on flights over the territories of Ukraine and Russia. Air freight prices have experienced a notable increase between Europe and the Far East. Blockage of air, sea, and land cargo in Russian and European territories has increased international logistics costs globally (Guénette, Kenworthy, and Wheeler 2022).

The global energy landscape has drastically changed since the war broke out. According to the estimation of the economist Brian Michael Jenkins, the energy shock led to the decline of the gross domestic product in the EU and the USA. According to his assessment, Europe's energy security needs to import natural resources directly through pipelines, which increases both the quality of stability and reduces the costs of its transportation. In energy cooperation with Russia, a significant part of Europe was oriented to reduce the import of natural resources from the Middle East. Some European politicians chose a pragmatic attitude towards Russia. Before the war, a significant part of Europe was significantly dependent on Russian natural gas, especially Germany and Central and Eastern European countries. In parallel with the war, the import of Russian liquefied gas in Europe decreased.

If before the start of the war, Russian gas exports to Europe accounted for about 40%, by the end of 2022, it had already decreased to 9% (Archick 2023). Given the increased prices for natural gas and oil, and therefore for consumer products, in November 2022, the EU aimed to agree on a common policy regarding the purchase of natural gas and purchase price criteria to be in constant coordination to reduce the volatility of natural gas and oil prices. Most European countries required the population to limit their electricity consumption and imposed certain restrictions on energy-importing companies. The EU also took responsibility for state subsidies in the energy sector (The European Council 2022).

The war significantly changed the military security architecture and international political landscape. In March 2022, the United States and the European Union approved a threat assessment document. It centralizes the collective efforts of NATO and EU Member States towards threats they face nowadays. For Ukraine, the war put the country's sovereignty at stake. For Russia, it becomes the battlefield of its imperial instincts, and for Europe and the "broader West", it is an opportunity to restrain and weaken Russia. With no surprise, the EU and the USA are primarily interested in their national security concerns and priorities. Considering the scenario of a Russian victory, it is evident that the existing European security architecture would remain vulnerable. Despite the increased financial and military support and the tight sanctions imposed on Russia, it still does not seem likely to end the war with the outcome that the Western countries desire. Accordingly, if the West's global political, economic, and military influence decreases, it will support the desire to transform powerful developing countries into ambitious regional states and pursue a foreign policy independent of the West.

Preserving international security in the scenario of the complete victory of Ukraine might also pose problems for the West, as the probability that revanchist sentiments strengthened in Russia, the coming to power of a new, much less predictable nationalist group (just like the arrival of fascists in the political leadership of Germany after the First World War) and new war preparations are high (Paikim 2023). Russia's allies, especially the Chinese factor, further imperiled security and contributed to fragility. Because a large part of Europe's security significantly depends on NATO, the new defense and security policy of the EU and Europe, in general, will be bound by its compatibility with NATO goals and aspirations.

The EU only has experience participating in low-intensity conflicts and humanitarian operations, and it has only recently, in 2019, enforced conflict prevention and mediation mechanisms that enable the organization to enhance its conflict prevention and resolution capabilities. To what extent the EU can create a joint command and control system to supervise and manage defense



systems and operations within Europe remains unclear. On the contrary, NATO, created in response to the containment of the Soviet threat, has developed an effective and comprehensive deterrence policy during the first decades of its existence.

This involved enhancing the organization's capabilities to operate the territorial defense system effectively, addressing logistical issues, modernizing EU Member States' armies, and ensuring their compatibility in joint operations. Suppose the EU decides to create a strong and effective defense and security system. In that case, it will first have to determine what are the strategic priorities of cooperation with NATO, distinguish to what extent the EU will be able to create a self-sufficient unified defense and security system, as well as how much they will have resources to ensure the security of the EU Member States including the nuclear umbrella (Simon 2023).

## CONCLUSION

From the very first day up to the present, the conflict between Russia and Ukraine has been highly dynamic, both militarily and politically. Geopolitical proximity, emerging threats, and extremely fragile security architecture have made the EU an interested party and, therefore, significantly contributed to its efforts to aid Ukraine and condemn Russia's war of aggression. While some effects may not be fully apparent at present, there are already vibrant signs that European and global security will not be the same in the upcoming years.

The war has contributed not only to volatile military and political security but also to economic, social, and transnational challenges such as energy and food insecurity, inflation, a substantial rise in prices, refugee and migration concerns, reduced business sustainability, and other transnational threats, including climate change.

The war against Ukraine has already caused thousands of deaths, devastated infrastructure, and led to fatal consequences for the direct parties involved in the conflict, reassessing national and international security parameters. Ukraine has become the battleground for vast incompatible interests and aspirations, erupting at the crossroads of Europe and Russia. This has turned the conflict into a scenario of West vs. Russia, where:

Tens of thousands of Ukrainians have been killed, maimed, or kidnapped; millions have been internally displaced. The economic cost of the war, in terms of lost output, productive potential, and destroyed assets, may already run into the hundreds of billions of dollars - perhaps as much as a trillion - and continues to rise with every attack on a new target in Ukraine (Bond and Ash 2023).

Russia maintains its strategic priority to undermine Ukraine's and, in fact, other Eastern Partnership countries' westward drift and ensure the security of its borders by preventive efforts to eliminate NATO and EU influences near Russian borders. The war has already emerged as existential for conflicting sides, with principal red lines and acute uncertainty, presumably, by all means, involving critical weapons.

Many European countries have primarily acknowledged Ukraine's resilience, tenacity, and courage. However, as long as the war is prolonged, time is not on Ukraine's side. More Eurocentric sentiments and realpolitik rationalities characterize the latest impressions; therefore, some countries prioritize their challenges and insecurities more than regional threats.

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